

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 29-07982

Proposed Priority: April 16, 1990 Maximum Diversion Rate: 0.12 CFS
This is to certify, that **ROBERT H. WINWARD**

JOYCE H. WINWARD
2237 N. HILLSIDE LANE
POCATELLO, ID 83204

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	0.06 CFS
STOCKWATER	01/01 to 12/31	0.02 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
Totals		0.12 CFS

LOCATION OF POINT(S) OF DIVERSION: SESW Sec. 21, Township 07S, Range 35E
BANNOCK County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	35E	21	SESW	2		2

Total number of acres irrigated: 2

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 1991.
2. Subject to all prior water rights.
3. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
4. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.

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State of Idaho
Department of Water Resources

Permit To Appropriate Water

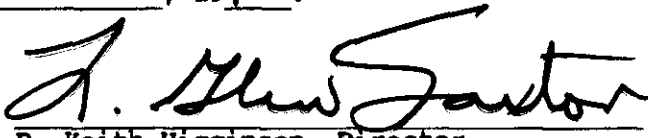
NO. 29-07982

CONDITIONS/REMARKS:

7. Stockwater use is for 5 horses and cattle; domestic use is for one home.

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

20th day of August, 1990.

for

R. Keith Higginson, Director

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SEP 14 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant WINWARD, ROBERT H. or JOYCE H. Phone (208) 233-1743
Post office address 2237 North Hillside Ln., TACOMA, ID 83204
2. Source of water supply GROUNDWATER which is a tributary of _____
3. Location of point of diversion is _____ 1/4 of SE 1/4 of SW 1/4, Govt. Lot _____
Sec. 21 Township 7S Range 3SE B.M. BANDOCK County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.06 for IRRIGATION purposes from 03/15 to 11/15 (both dates inclusive)
(cfs or acre-foot per annum)

Amount 0.04 for DOMESTIC purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-foot per annum)

Amount 0.02 for STOCK purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-foot per annum)

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

5. Total quantity to be appropriated is (a) 0.12 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. WELL, PUMP, PIPELINES
FOR IRRIGATION, DOMESTIC & STOCK USES

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.

~~Proposed~~ EXISTING well diameter is 9" inches; proposed depth of well is 100' feet.

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

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).

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. 5 HEAD HORSES 1 CATTLE
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 1 HOME
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. 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	
7S	3SE	21											2						2
													1/2						

Total number of acres to be irrigated 2

10. Describe any other water rights used for the same purposes as described above. N/A

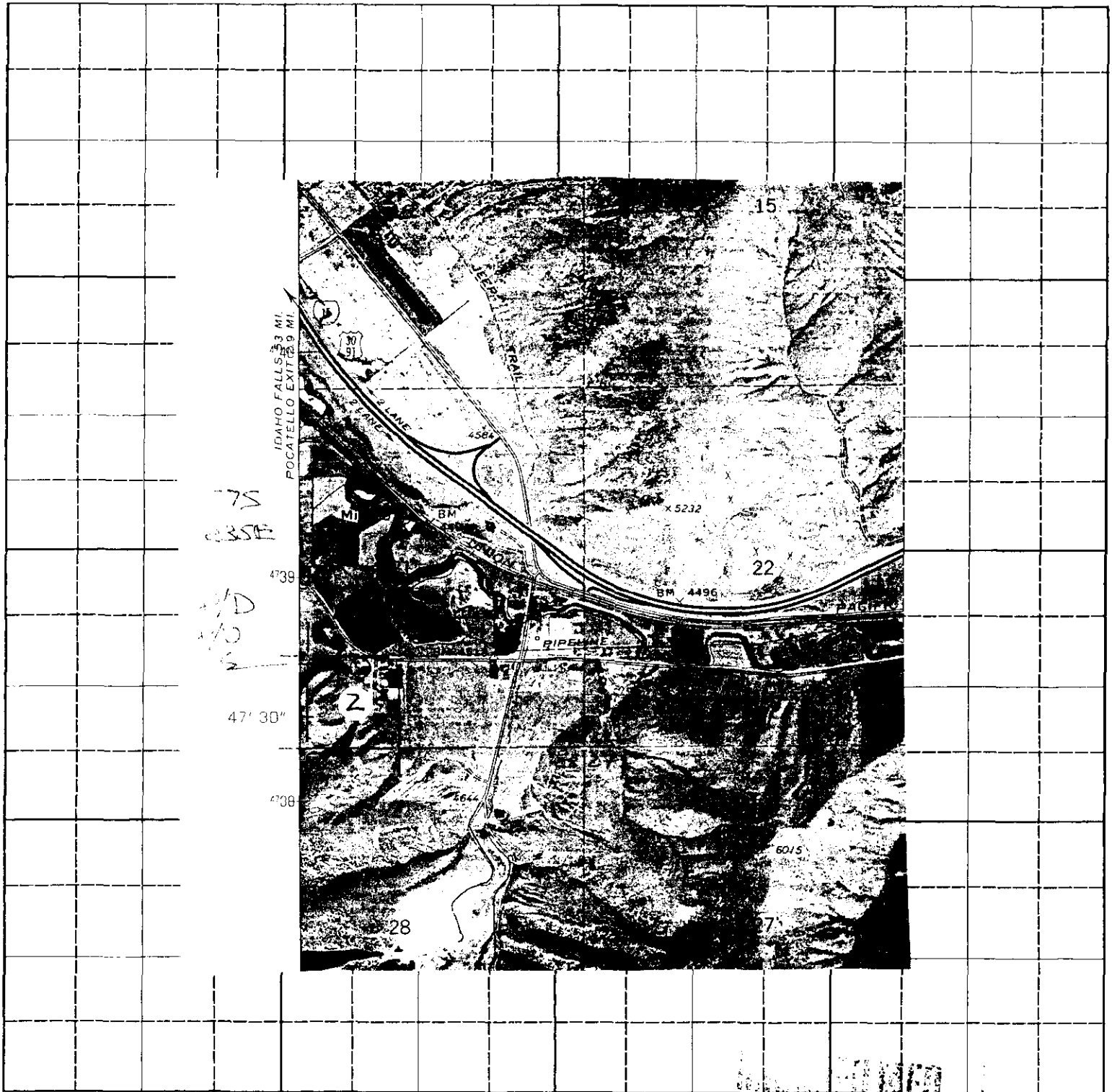
11. a. Who owns the property at the point of diversion? APPLICANT
- b. Who owns the land to be irrigated or place of use? APPLICANT
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

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13. 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.

[Signature]
(Applicant)

Received by DEM Date 4-16-90 Time 1030 442 Preliminary check by _____
Fee \$ 30⁰⁰ Receipted by DEM # E013158 Date 4-16-90
Publication prepared by LB Date 6-21/28-90 Published in ID State Jnl
Publication approved LB Date 7-16-90

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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NANSEL, DENISE M.
13627 W. MEADOWLARK
POCATELLO, ID 83201
Source: SPRING
Tributary: SINKS
Diversion Pt:
NWNESE Sec 32 T 06S R 34E

Use: IRRIGATION (.120 CFS)
STOCKWATER (.020 CFS)
Total Diversion: (.140 CFS)
Date Filed: 4-16-1990
In: T06S R34E S32 NESE
6.0 ACRES TOTAL

29-07981
NANSEL, DENISE M.
13627 W. MEADOWLARK
POCATELLO, ID 83201
Source: TRAIL CREEK
Tributary: PORTNEUF RIVER
Diversion Pt:
NENW Sec 33 T 06S R 34E

Use: IRRIGATION (.060 CFS)
Total Diversion: (.060 CFS)
Date Filed: 4-16-1990
In: T06S R34E S33 NENW
2.0 ACRES TOTAL

29-07982
WINWARD, ROBERT H.
WINWARD, JOYCE H.
2237 N. HILLSIDE LANE
POCATELLO, ID 83204
Source: GROUNDWATER
Diversion Pt:

SESW Sec 21 T 07S R 35E
Use: IRRIGATION (.060 CFS)
STOCKWATER (.020 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.120 CFS)
Date Filed: 4-16-1990
In: T07S R35E S21 SESW
2.0 ACRES TOTAL

29-07983
WELLER, III, LYNN
272 S. 500 E.
AMERICAN FORK, UT 84003
Source: SPRING
Tributary: RAPID CREEK
Diversion Pt:

SENESE Sec 35 T 06S R 36E
Use: IRRIGATION (1.920 CFS)
STOCKWATER (.020 CFS)
Total Diversion: (1.940 CFS)
Date Filed: 5-1-1990
In: T06S R36E S35 NESW SWSW
SESSEW
96.0 ACRES TOTAL

29-07985
HECKLER, JOHN F.
2550 S. GRANT
POCATELLO, ID 83204
Source: PORTNEUF RIVER
Tributary: SNAKE RIVER
Diversion Pt:

SENW Sec 1 T 07S R 34E
Use: IRRIGATION (.050 CFS)
Total Diversion: (.050 CFS)
Date Filed: 4-20-1990
In: T07S R34E S01 SENW
1.5 ACRES TOTAL

29-07986
NICK, FRANK J.
P.O. BOX 4379
POCATELLO, ID 83205
Source: COTTONWOOD CREEK
Tributary: MARSH CREEK
Diversion Pt:

NESE Sec 21 T 09S R 36E
Use: IRRIGATION (.110 CFS)
Total Diversion: (.110 CFS)
Date Filed: 4-26-1990
In: T09S R36E S22 SWSW
5.5 ACRES TOTAL

29-07987
DICKSON, CHARLES M.
2270 SOUTH GRANT
POCATELLO, ID 83204
Source: GROUNDWATER
Diversion Pt:

NESWNW Sec 1 T 07S R 34E
Use: IRRIGATION (.050 CFS)
DOMESTIC (.010 CFS)
Total Diversion: (.060 CFS)
Date Filed: 4-20-1990
In: T07S R34E S01 SWNW
2.0 ACRES TOTAL

29-07988
SMITH, SANDRA
SMITH, T. CRAIG
1827 E. ARIMO ROAD

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December 19, 1990

ROBERT H. WINWARD
JOYCE H. WINWARD
2237 N. HILLSIDE LANE
POCATELLO, ID 83204

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 29-07982

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 EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

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JAN 03 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. AP-7982

Date 12-19-90

GENERAL CONSIDERATIONS

3 Name same as permit?
N Address change? If yes, prepare data entry form.
Y Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

 Surface water source
Y Ground water source
 Drill permit req'd? Copy in file?
 Well log in file?
 Amt paid for drilling permit? Correct?

LICENSE EXAMINATION FEE

3 Required?
Y Amount submitted?
Y Correct amount?

MEASURING DEVICE

 Measuring device or access port required?
 Installed?
 Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

PRIORITY CALCULATION

Date proof received	_____	_____
Date proof due	_____	- _____
No. of days late	_____	= _____
Priority date	_____	+ _____
NEW PRIORITY DATE	_____	= _____

[Signature]

RECEIVED

NOV 27 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

For Office Use Only

Amt. of Fee \$ 50.00Date 11/27/90Receipt No. 018968Received by L. L. Luman

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 29-07982 Telephone No. 208 233 1743Name(s) of Permit Holder(s): Robert H. Winward/Joyce H. WinwardPost Office Address: 2237 North Hillside Lane Pocatello, ID 83204Source of Water: groundwaterIf ground water, well driller's name: Bryce Hacking Date drilled: 1/1/70

Extent of Use:

Domestic 1 (No. of households)Irrigation 2 (No. of acres)Stockwater 5 horses & cattle (No. and type of stock)

Other _____

Total rate and/or volume for which proof is submitted 0.12 cfs _____ acre/feetShow date water was first diverted and beneficially used under this permit: 1/1/70

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes xNo Installed? Yes xNo

OR

Flow Measurement Port: Required? Yes xNo Installed? Yes xNoFee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

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

as above.

Name

Telephone No.

Address

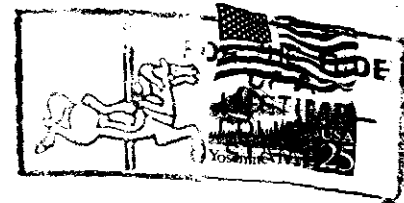
The above information is my true statement of the extent to which the above numbered permit has been
relinquish any undeveloped portion of the permit to the state of Idaho.

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JAN 03 1991

Date 11/20/90Robert H. Winward
Signature (and title if on behalf of a company or organization)

JOE WINWART
NORTH HILLSIDE LA.
POCATELLO, IDAHO 83204



State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard St
Statehouse Mall
Boise, ID 83720



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

Statehouse
Boise, Idaho 83720
(208) 327-7900
August 20, 1990

ROBERT H. WINWARD
JOYCE H. WINWARD
2237 N. HILLSIDE LANE
POCATELLO, ID 83204

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

RE: PERMIT NO. 29-07982

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.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

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

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

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Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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12-Jun-1990

ROBERT H. OR JOYCE H. WINWARD

POCATELLO, ID 83204

RE: Application for Permit No. 29-07982

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the IDAHO STATE JOURNAL on June 21 & 28, 1990. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

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29-07982

WINWARD, ROBERT H.
WINWARD, JOYCE H.
2237 N. HILLSIDE LANE
POCATELLO, ID 83204

Source: GROUNDWATER

Diversion Pt: SESW Sec 21 T 07S R 35E

Use: IRRIGATION	(.060 CFS)
STOCKWATER	(.020 CFS)
DOMESTIC	(.040 CFS)
Total Diversion:	(.120 CFS)

Date Filed: 4/16/ 1990

In: T07S R35E S21 SESW

2.0 ACRES TOTAL

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