

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07896

Priority: February 23, 1990

Maximum Diversion Rate:

0.60 CFS

Maximum Diversion Volume:

9.0 AF

This is to certify, that WILLIAM P WHITWORTH
RT 2 BOX 85C

POCATELLO ID 83202 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated February 23, 1990; and
has submitted Proof of Beneficial Use on July 6, 1990. An examination indicates
that the works have a diversion capacity of 0.600 cfs of water from:

RAPID CREEK

tributary to PORTENEUF RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
RECREATION STORAGE	01/01 to 12/31		9.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.60 CFS	
	Totals	0.60 CFS	9.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSE, Sec. 34, Township 06S, Range 36E
BANNOCK County

PLACE OF USE: RECREATION STORAGE

TWN RGE SEC

06S 36E 34

SWSE

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

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APR 8 1997

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 29-07896

CONDITIONS OF APPROVAL AND REMARKS

6. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. Use of water under this water right will be regulated by the watermaster of State Water District No. 29F.
8. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
9. Recreation storage is for a fishing pond.

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 3rd day of April, 1997.


KARL J. DREHER, DirectorMICROFILMED
APR 03 1997

For Office Use Only
Amt. of Fee \$ 100.00
Date 7/6/90
Receipt No. 2017362
Received by J. S. Garrison
J.S. 8.3-90

RECEIVED
JUL 6 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/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. 29-07896 Telephone No. 237-6751

Name(s) of Permit Holder(s): William F. Whitworth

Post Office Address: Rt 2 north Box 855 Pocatello, Idaho 83202

Source of Water: Rapid Creek, tributary of Portneuf River

If ground water, well driller's name: _____ Date drilled: _____

Extent of Use:

Domestic _____ (No. of households)

Irrigation _____ (No. of acres)

Stockwater _____ (No. and type of stock)

Other Recreation Storage

Total rate and/or volume for which proof is submitted .60 cfs 9 acre/feet

Show date water was first diverted and beneficially used under this permit: April 1, 1990

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

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

OR

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

Fee Enclosed: \$ 100.00 (See License Examination Fee Schedule)

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

William F. Whitworth 237-6751
Name Telephone No.

Rt 2 north Box 855 Pocatello Idaho 83202
Address

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.

FILED

AUG 14 1990

7-3-90
Date

William F. Whitworth
Signature (and title if on behalf of a company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 29-07896

Proposed Priority: February 23, 1990 Maximum Diversion Rate: 0.60 CFS

This is to certify, that **WILLIAM P. WHITWORTH**
RT. 2 BOX 85C
POCATELLO, ID 83202

has applied for a permit to appropriate water from:

RAPID CREEK tributary of **PORTRINEUF RIVER**

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>	<u>ANNUAL VOLUME</u>
RECREATION STORAGE	01/01 to 12/31		9.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.60 CFS	
	Totals	0.60 CFS	

LOCATION OF POINT(S) OF DIVERSION: SWSE Sec. 34, Township 06S, Range 36E
BANNOCK County

PLACE OF USE: RECREATION STORAGE

TWN RGE SEC

06S 36E 34 SWSE

PLACE OF USE: DIVERSION TO STORAGE, same as RECREATION STORAGE use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 1991.
2. Subject to all prior water rights.
3. Use of water under this permit shall be non-consumptive.
4. 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.
5. 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.
6. A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion prior to diversion of water under this permit.
7. Use of water under this permit is subject to control by the watermaster of State Water District No. 29F.

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AUG 14 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 29-07896

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

28th day of June, 1990

R. Keith Higginson
for R. Keith Higginson, Director

MICROFILMED

AUG 14 1990

Ident. No. 29-07896

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: WILLIAM P. WHITWORTH
Address: ROUTE 2 NORTH
BOX 85C
POCATELLO, ID 83202
208-237-6751
 2. Source: RAPID CREEK
Trib. to: PORTNEUF RIVER
 3. Location of Point of Diversion: SWSE Sec. 34, Township 06S, Range 36E
BANNOCK County
 4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
RECREATION STORAGE	01/01	12/31			9.00
DIVERSION TO STORAGE	01/01	12/31	0.600		
 5. Total quantity to be appropriated is:
0.600 CFS (and/or) AF
 6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
HEADGATE IN CREEK TO DITCH TO POND
 - b. Height of storage dam 8 feet; active reservoir capacity 9.00
acre-feet; total reservoir capacity 9.00 acre-feet; period of
year when water will be diverted to storage: 1/01 to 12/31 inclusive.
 - c. Proposed well diameter is inches; proposed depth of well is
feet.
 - d. Is groundwater with a temperature greater than 90F being sought? NO
 7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 years.
 8. Description of proposed uses:
DIVERSION AND STORAGE FOR FISH POND.
 9. Place of Use: RECREATION STORAGE
- TWN RGE SEC
06S 36E 34 SWSE

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AUG 14 1990

Ident. No. 29-07896
Page 2

Place of Use: DIVERSION TO STORAGE

TWN RGE SEC
06S 36E 34 SWSE

10. Describe any other water rights used for the same purposes.
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:

NON-CONSUMPTIVE USE. POND IS FOR RECREATIONAL USE.

13. Map of proposed point of diversion and place of use attached? ☒

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.

William P. Whitworth
Applicant

Received by DN Date 2/23/90 Time 600 Preliminary check by KCW

Fee \$ 45⁰⁰ Receipted by DN # E02146 Date 2/23/90

Publication prepared by RB Date 5-3-90 Published in ID State Trn /

Publication approved RB Date 6-5-90

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AUG 14 1990

42° 52' 30"

4747000m N.

4746

R36E

4745

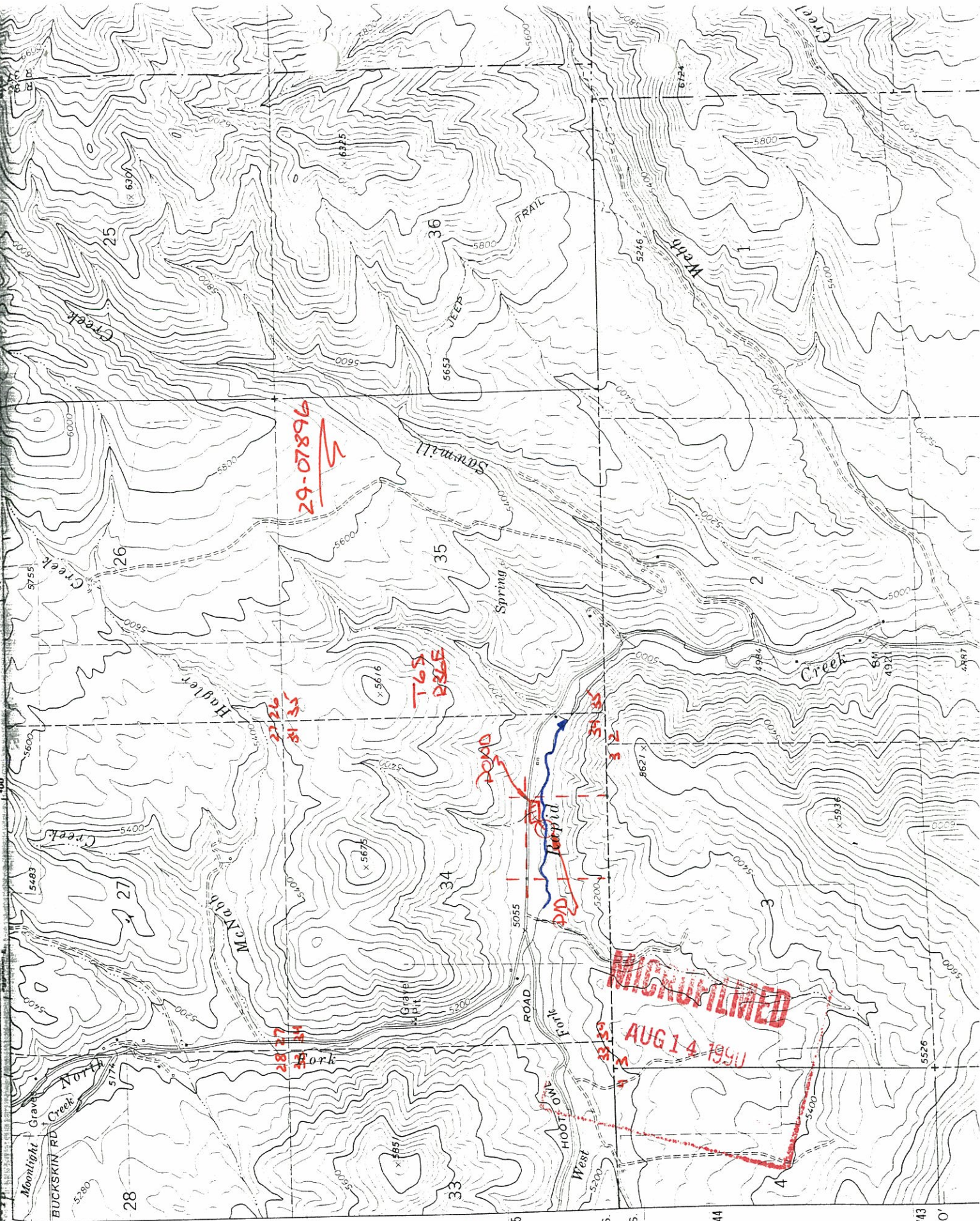
T. 6 S.

T. 7 S.

4744

4743

50'



PROOF OF PUBLICATION

MAY 11 1990

STATE OF IDAHO
County of Bannock

ss.

Department of Water Resources
Eastern District Office

Sandra K. Wann

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

29-07895

TOVEY, DE VERE

TOVEY, LORA

80 N. 4TH W.

PRESTON, ID 83263

Source: SPRING

Tributary: SINKS

Diversion Pt:

SWNW Sec 33 T 08S R 37E

NESW Sec 33 T 08S R 37E

NWSW Sec 33 T 08S R 37E

SESW Sec 33 T 08S R 37E

Use: STOCKWATER (.100 CFS)

DOMESTIC (.150 CFS)

Total Diversion: (.200 CFS)

Date Filed: 2-23-1990

In: T08S R37E S33 NWSE SWSE

T09S R37E S05 NENE SWNE SENE

SWNW

SENW

29-07896

WHITWORTH, WILLIAM P.

RT. 2 BOX 85C

POCATELLO, ID 83202

Source: RAPID CREEK

Tributary: PORTNEUF RIVER

Diversion Pt:

SWSE Sec 34 T 06S R 36E

Use: RECREATION STORAGE

(9.00 AF)

DIVERSION TO STORAGE

(.600 CFS)

Total Diversion: (.600 CFS)

Date Filed: 2-23-1990

In: T06S R36E S34 SWSE

29-07897

WILLIAMS, KENNETH M.

WILLIAMS, DONNA B.

26132 S. DOWNATA RD.

DOWNNEY, ID 83234

Source: POND

Tributary: SINKS

Diversion Pt:

NWNENW Sec 12 T 12S R 36E

Use: IRRIGATION (.800 CFS)

Total Diversion: (.800 CFS)

Date Filed: 2-26-1990

In: T12S R36E S12 NENW NWNW

40.0 ACRES TOTAL

29-07906

SCHIER, THOMAS C.

9416 W. AUTUMN LN.

POCATELLO, ID 83204

Source: GROUNDWATER

Diversion Pt:

SWSW Sec 19 T 07S R 35E

NWNW Sec 30 T 07S R 35E

Use: IRRIGATION (.120 CFS)

Total Diversion: (.120 CFS)

Date Filed: 12-27-1989

In: T07S R35E S19 SWSW

S30 NWNW

6.0 ACRES TOTAL

29-07920

RUPP, HAROLD L.

RUPP, VEDA J.

12789 HILINE RD.

POCATELLO, ID 83202

Source: GROUNDWATER

Diversion Pt:

SENEW Sec 35 T 05S R 34E

SENESE Sec 35 T 05S R 34E

Use: IRRIGATION (2.140 CFS)

Total Diversion: (2.140 CFS)

Date Filed: 1-25-1990

In: T05S R34E S36 SENW NESW

T06S R34E S01 NENW SENW

107.0 ACRES TOTAL

being first duly sworn on oath deposes and says: That she
was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

3 May	1990	19
10 May	1990	19
	19	19
	19	19
	19	19

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Sandra K. Wann

STATE OF IDAHO

COUNTY OF Bannock

On this 10th day of May in the year of 1990, before me, a Notary Public, personally appeared Sandra K. Wann, 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 Pocatello

My commission expires: July, 1991

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AUG 14 1990



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

April 4, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

WILLIAM P. WHITWORTH
RT 2 BOX 85C
POCATELLO ID 83202

RE: WATER RIGHT NO. 29-07896

Dear Water Right Holders:

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

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ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

- i. A hearing was held,
- ii. The final agency action was taken,

ENCLOSURE
APR 8 1987

- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

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

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

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SWK:vrr

Enclosures

APR 08 1997

CERTIFICATE OF MAILING

I hereby certify that on the 4th day of March, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 29-07896

**WILLIAM P WHITWORTH
RT 2 BOX 85C
POCATELLO ID 83202**

**Vanessa R Roby
Secretary**

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT)
)
NO. 29-07896 IN THE NAME) ORDER RESCINDING
) CONDITION OF APPROVAL
OF WILLIAM P. WHITWORTH)
)

WHEREAS, on February 23, 1990, William P. Whitworth filed an application for permit to appropriate water from Rapid Creek tributary to the Portneuf River for recreation storage; and,

WHEREAS, the applicant described the proposed diverting works as a headgate in the creek to a fishing pond; and,

WHEREAS, on June 28, 1990 the Department approved Permit No. 29-07896 with the following condition:

Use of water under this right shall be non-consumptive.

and,

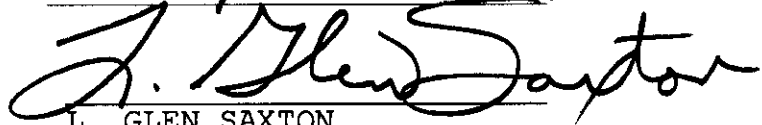
WHEREAS, requiring the water use to be non-consumptive is not possible due to evaporation of water from the surface of a pond; and,

WHEREAS, diversion and water use, including the pond, was developed as described by the applicant at the time of filing the application for permit; and,

WHEREAS, there appears to be reasonable cause to rescind the condition,

IT IS, THEREFORE, HEREBY ORDERED That the condition of approval limiting the permit to non-consumptive use is RESCINDED.

Dated this 2nd day of April, 1997.


L. GLEN SAXTON
Chief, Water Allocation Bureau

MICROFILMED
APR 08 1997

WR0749NP
No. L29-07896

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/28/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WILLIAM P WHITWORTH RT 2 BOX 85C POCATELLO ID 83202 (208) 237-6751	02/23/1990	RECREATION STORAGE DIVERSION TO STORAGE	01/01 12/31 01/01 12/31	0.600 CFS	9.00 AFA
TOTAL DIVERSION:					0.600 CFS	9.00 AFA

Water Source: RAPID CREEK

Tributary to: PORTNEUF RIVER

Stage: LICENSE

Point(s) of Diversion Capacity: 0.60 AFA

Point(s) of Diversion: T06S R36E S34 SWSE

BANNOCK County

Place of use Legal Description for: RECREATION STORAGE

NE				NW				SW				SE			
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac

06S 36E 34 : : : : : R :															

Pou County: BANNOCK

Other Water Rights with Same Point(s) of Diversion and Source:
29-00298C 29-00311C 29-07896

Other Water Rights Listing Overlapping Place(s) of use:
29-00298C 29-00311C

Conditions of Approval:

- 048 - The use of water under this right shall not give rise to any
- claim against the holder of a senior water right based upon the
- theories of forfeiture, abandonment, adverse possession, waiver,
- equitable estoppel, estoppel by laches or customary preference.
- 049 - The Director retains jurisdiction of the right to incorporate
- the use into a water district, require streamflow augmentation
- or other action needed to protect prior surface water and
- groundwater rights.
- R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 29F.
- R02 - A lockable device subject to the approval of the Department
- shall be maintained on the diverting works in a manner that will
- provide the watermaster suitable control of the diversion.

Remarks: Recreation storage is for a fishing pond.

Dates: App. Received: 02/23/1990 Priority Date: 02/23/1990
Proof Due Date: 07/01/1991 Proof Made Date: 07/06/1990
Exam Made Date: 06/11/1996 Exam Sent to S.O.: 01/13/1997
Licensed Date:

Misc: Water District Number: 29F Field Exam Fee: R (Received)

LICENSE REVIEW CHECKLIST

PERMIT NO. 29-07896

DATE 3/28/97

REVIEWER: SHARLA

NAME Change OK Address Change NO
 SOURCE Change ✓ Is change clarification of originally intended source? ✓
 POINT OF DIV Change ✓ If not, prepare Notice of Intent to Void ✓
 PLACE OF USE Change ✓ Amendment required NO
 Amendment required NO

Does map agree with written description? ✓ yes no

OVERLAPS no P/D no P/U

RATE OF DIV

Permitted Rate 0.6 cfs
 Fee limit 1.0 cfs \$100.00
 Measured no cfs
 Theoretical no cfs

Recommended Total Div Rate .60 cfs

ANNUAL VOLUME/
 NATURE OF USES no

Use ✓

Volume Calculation

330 x 330 / 43560
x 4 = 10.0 af

Rec Stor 9.0 af
Dw to Stor N/A af
no af
no af
 SUBTOTAL 9.0 af

Flow rate .60 cfs X 365 days X 1.9835 = N/A af

Total volume recommended no af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

Rec stor / fishing pond.

CONDITIONS R01 Watermaster Control WD# 29F

R02 GW Measurement/Measuring Device

no Overlap

no Use-specific conditions 948,049

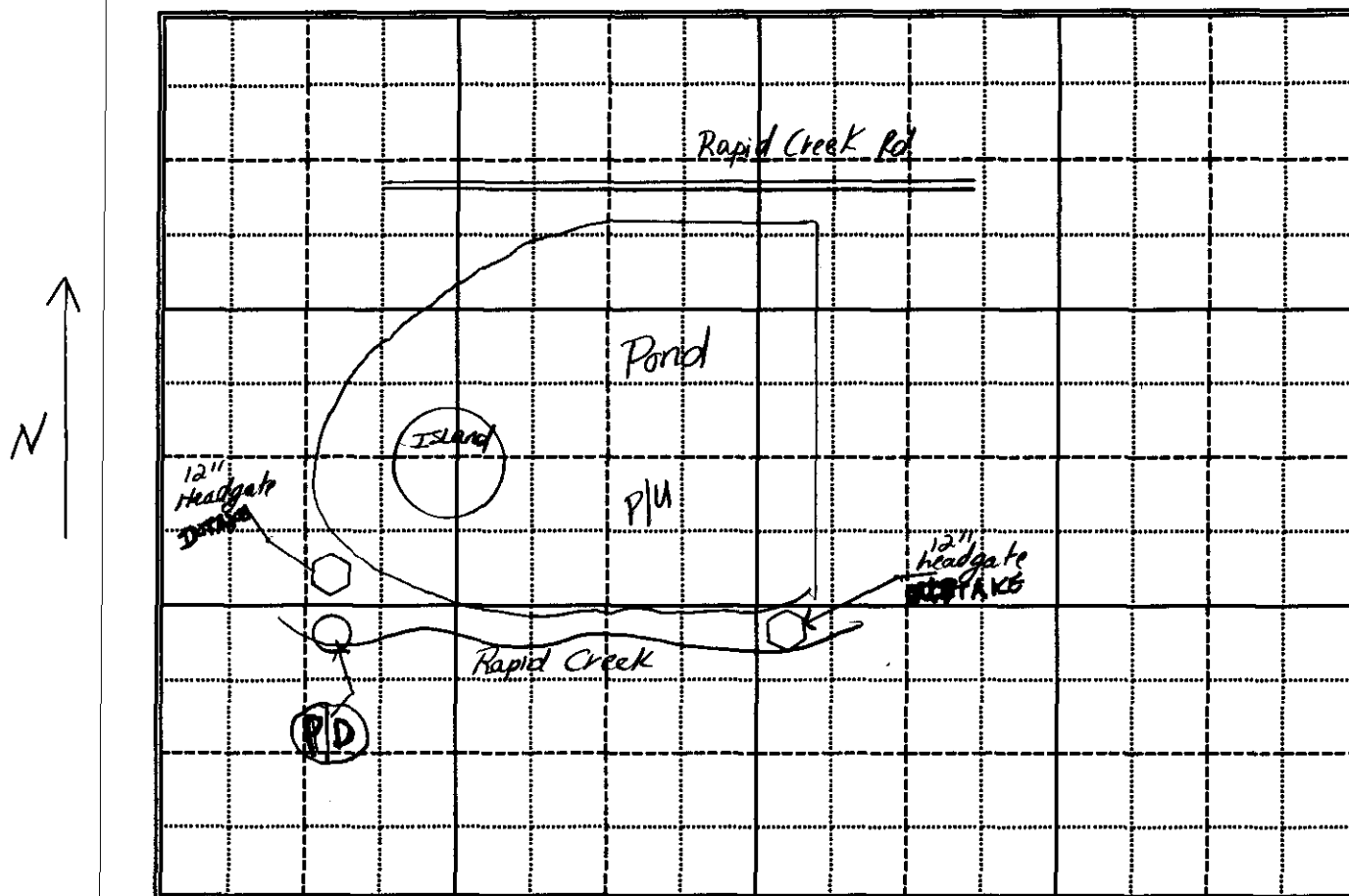
Advancement of Priority Date Required no yes no

SRBA Claim Filed N/A
 Adjustment Memo no

1st Amend Letter N/A
 2nd Amend Letter N/A

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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

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*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
Theoretical						

2. Measurements: Drove circumference of Pond. Approximately 0.3 miles.
approximate average depth 4ft.

M.S. FILMED

APR 08 1997

E. NARRATIVE/REMARKS/COMMENTS

Mr. Whitworth's pond is south of Rapid Creek Rd. There is a 12" headgate on southwest corner of pond, diverting water from Rapid creek into pond. There is also a 12" headgate and screen at southeast end of pond, allowing water to flow back into Rapid creek. Average depth of pond is 4 ft — deepest part 8 feet; shallowest 1 1/2 feet.

* Diversion works consists of diversion dam in stream with screw type headgate and discharged into pond. Headgate and discharge into pond are submerged, therefore no measurement is possible. Discharge from pond is through a screw-type gate into corrugated steel pipe, with discharge back into creek. Discharge pipe flowing at greater than .60 CFS.

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

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F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

volume of pond is 9.0 AF

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Diversion to storage	01/01	12/31	0.60	
Recreation storage	01/01	12/31		9.0 AF/A
Totals:			0.60	9.0 AF/A

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 Steven Garrison Date 6 JUN 96Reviewer Dave Carlson Date 1/10/97

SEAL

MICROFILMED

APR 08 1997

POND CIRCUMFERENCE = 0.3 miles

Note: Pond has a small island assume Circumference = 0.25 miles = 1320 ft

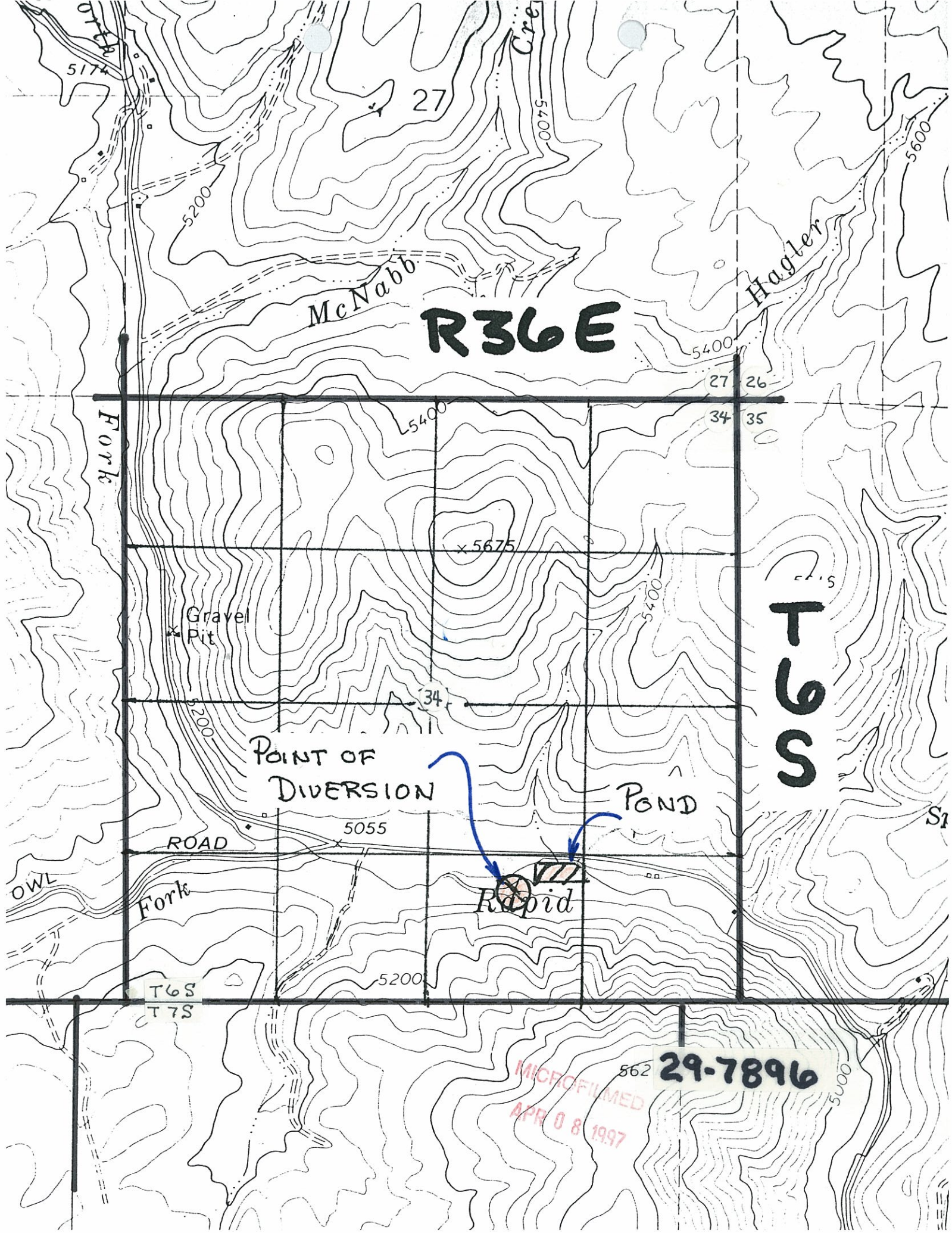
$$A = \frac{C^2}{4\pi} = \frac{(1320)^2}{4(3.1416)} = \frac{1742400 \text{ ft}^2}{12.566} = 138,655.78 \text{ ft}^2 \div 43560 = 3.18 \text{ ac}$$

$$V_{OL} = \text{Surface Area} \times \text{Maximum Depth} \times 0.4 = (3.183 \text{ ac})(8')(0.4) = 10.2 \text{ af}$$

VOL LIMITED TO 9 af

MICROFILMED
APR 08 1987

PERMIT # 29-7896



R36E

T6S

Point of
DIVERSION

POND

Rapid

ROAD

Fork

Gravel
Pit

OWL

T6S
T7S

MICROFILMED
APR 08 1997

29-7896

BOB BOHUS
T102
#1103

T6S

R36E

34

PLACE OF USE (POND)

51.7

SW 1/4

SE 1/4

RAPID CREEK
MICHAEL RHODES
#586

SMALL ISLAND

#1104

H.A. LISTER

POINT OF DIVERSION

T6S

T7S

R36E

4 3

33 34

26.3 HEL

T102
BOB BOHUS
#1103

PROFILMED
APR 08 1957

29-07896

3 HEL
12.5

4
104.7

HEL

If s_k denotes the side of a regular polygon of k sides inscribed in a circle of radius R , then

$$s_{2n} = \sqrt{2R^2 - R\sqrt{4R^2 - s_n^2}}$$

If S_k denotes the side of a regular polygon of k sides circumscribed about a circle of radius r , then

$$S_{2n} = \frac{2rS_n}{2r + \sqrt{4r^2 + S_n^2}}$$

If p_k and P_k denote, respectively, the perimeters of regular polygons of k sides inscribed in and circumscribed about the same circle, then

$$P_{2n} = \frac{2p_n P_n}{p_n + P_n} \quad \text{and} \quad p_{2n} = \sqrt{p_n P_{2n}}$$

If a_k and A_k denote, respectively, the areas of regular polygons of k sides inscribed in and circumscribed about the same circle, then

$$a_{2n} = \sqrt{a_n A_n} \quad \text{and} \quad A_{2n} = \frac{2a_{2n} A_n}{a_{2n} + A_n}$$

CIRCLES

In the following: R = radius, D = diameter, C = circumference, K = area.

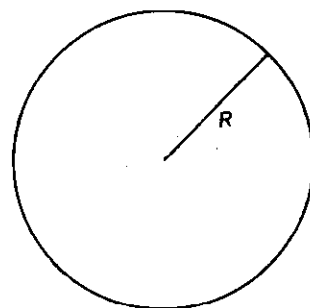
Circumference and Area of a Circle

$$C = 2\pi R = \pi D \quad (\pi = 3.14159\dots)$$

$$K = \pi R^2 = \frac{1}{4}\pi D^2 = 0.7854D^2$$

$$C = 2\sqrt{\pi K} = \frac{2K}{R}$$

$$K = \frac{C^2}{4\pi} = \frac{1}{2}CR$$



Sector and Segment of a Circle

Let the central angle θ be measured in radians ($\theta < \pi$).

$$h = R - d, \quad d = R - h$$

$$s = R\theta$$

$$d = R \cos \frac{\theta}{2} = \frac{1}{2}c \cot \frac{\theta}{2}$$

$$= \frac{1}{2}\sqrt{4R^2 - c^2}$$

$$c = 2R \sin \frac{\theta}{2} = 2d \tan \frac{\theta}{2}$$

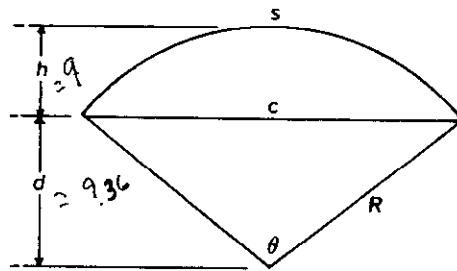
$$= 2\sqrt{R^2 - d^2} = \sqrt{4h(2R - h)}$$

$$\theta = \frac{s}{R} = 2 \cos^{-1} \frac{d}{R} = 2 \tan^{-1} \frac{c}{2d} = 2 \sin^{-1} \frac{c}{2R}$$

$$K(\text{sector}) = \frac{1}{2}Rs = \frac{1}{2}R^2\theta$$

$$K(\text{segment}) = \frac{1}{2}R^2(\theta - \sin \theta) = \frac{1}{2}(Rs - cd) = R^2 \cos^{-1} \frac{d}{R} - d\sqrt{R^2 - d^2}$$

$$= R^2 \cos^{-1} \frac{R-h}{R} - (R-h)\sqrt{2Rh - h^2}$$



APR 8 1957



HEAD GATE CONTROL

Rapid Creek
along base of hill



INLET TO POND

MICROFILMED
APR 08 1997

29-07896



OUTLET CONTROL
FROM POND

29-07896

MICROFILMED
APR 08 1997

2

NEG.
29-7896

4373-18

August 8, 1990

WILLIAM P. WHITWORTH
RT. 2 BOX 85C
POCATELLO, ID 83202

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 29-07896

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

MICROFILMED

AUG 14 1990

DO NOT SCAN

1/88

PROOF OF BENEFICIAL USE
ANALYSIS SHEET

Permit No. 29-7896

Date: 8-3-90

General Considerations:

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

Source of Water:

☒ Surface water
☐ Groundwater
☒ 1. well log in file
☒ 2. drilling permit
☒ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

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

Measuring Device:

☒ Is a measuring device or access port required?
☒ Has one been installed?
☐ Waiver or modification of measuring device requested

Remarks:

Good acceptable

Priority Calculation:

Date proof received	<u>NA</u>	
Date proof due		
No. of days late		
Priority date		
NEW PRIORITY DATE		

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

addition to add

S T A T E O F I D A H O

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
June 29, 1990

WILLIAM P. WHITWORTH
RT. 2 BOX 85C
POCATELLO, ID 83202

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P29-07896

Dear Permit Holder:

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

Be sure to note the special condition requiring you to install a lockable device that will provide the watermaster control on your diversion.

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 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

MICROFILMED
AUG 14 1990

Form No. 202a
/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

2 copies

INITIAL REVIEW BY KCW/loa DATE 3/21/90 APPLICATION NUMBER 29-7896
William P. Whitworth

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☒ County
- ☒ Quantity (flow and/or volume)
- ☒ Period of Use
- ☒ Nature of proposed use (Include description of use.)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map
- ☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☒ Overlapping place of use (Describe source & relationship to present application on the back.)
- ☒ Overlapping point of diversion 29-00298 c / 00311 c Whitworth
- ☐ Yes ☒ No Field check required
- ☐ Yes ☒ No Field check by _____
- ☐ Yes ☒ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send dam safety information
- ☐ Yes ☒ No Send power requirement letter
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit
- ☐ Yes ☒ No Power efficiency form
- ☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested

JUN 14 1990

Department of Water Resources

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 29-F
☐ 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 5-21-90
☒ 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. 29-F
☒ Yes ☐ No Special conditions of approval or cover letter below.

See below for additional information

Date of priority recommended 2-23-90
By HWS Date 6-11-90

STATE OFFICE REVIEW

POI, P/6

27 48 49 05 (29-F) OIH

See below for additional information

By Date

ADDITIONAL INFORMATION

Condition; <OIH>

App. in NON-TRUST area-

07-May-1990

DEPT. OF FISH & GAME
1515 LINCOLN RD.
IDAHO FALLS, ID 83401

RE: Application for NO. 15-7116, 29-7886, 75-7503, 29-7896

Dear Sir:

We are enclosing a copy of the applications that may be of interest to your department. Please review the applications and submit any comments you may have to our Department as soon as possible. The last date of protest is May 21, 1990, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb
enc.

MICROFILMED

AUG 14 1990

07-May-1990

ARLIN OLSON
P.O. BOX 644
LAVA, ID 83246

RE: Application for No. 29-7922, 29-7896

Dear Watermaster:

Please find enclosed a copy of the above referenced application. Please review the application and complete the form, returning them to this office as soon as possible.

Thank you for your cooperation in this matter.

Respectfully submitted,

Harold Jones
Water Rights Supervisor

HJ/rb
Enclosure

RECEIVED

AUG 14 1990

01-May-1990

WILLIAM P. WHITWORTH
RT. 2 N., BOX 85C
POCATELLO, ID 83202

RE: Application for Permit No. 29-7896

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 MAY 3 & 10, 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

MICROFILMED

AUG 14 1990

29-07896

WHITWORTH, WILLIAM P.
RT. 2 BOX 85C
POCATELLO, ID 83202

Source: RAPID CREEK

Tributary: PORTNEUF RIVER

Diversion Pt: SWSE Sec 34 T 06S R 36E

Use: RECREATION STORAGE (9.00 AF)
DIVERSION TO STORAGE (.600 CFS)
Total Diversion: (.600 CFS)

Date Filed: 2/23/ 1990

In: T06S R36E S34 SWSE

MICROFILMED

AUG 14 1990

Permit
APPLICATION FOR ~~TRANSFER~~ OF
WATER RIGHT NO. 29-7896

WATER DISTRICT H. 29

WATERMASTER Arlin Olson

DATE: May 11-1990

COMMENTS: None

☒ I do endorse approval of this change.

☐ I do not endorse approval of this change.

I recommend the following conditions of approval:

None

MICROFILMED

AUG 14 1990

Arlin Olson
Watermaster