

WATER RIGHT LICENSE

Total number of acres irrigated _____

Director

Identification No. 29 7187
Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT
To appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

APPROVED

1. Name of applicant Stephen M. Wheatley &/or Wayne N. Wheatley 254-3967
post office address 3445 McKinley, Pocatello, Idaho ARIMO Ph. 237-4914
ID.
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 5 Township 10S
Range 36E B.M. Bannock County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.08 for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.12 for Irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.20 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Deep well, submersible pump,
household dist. system and sprinkler irrigation
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 8 inches; proposed depth of well is 150 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 3500.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 5 Township 10S
Range 36E B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____
(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water 2.
(5) If water is to be used for other purposes describe: _____

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10S	36E	5																6	6

Total number of acres to be irrigated 6

c. Describe any other water rights used for the same purposes as described above. None

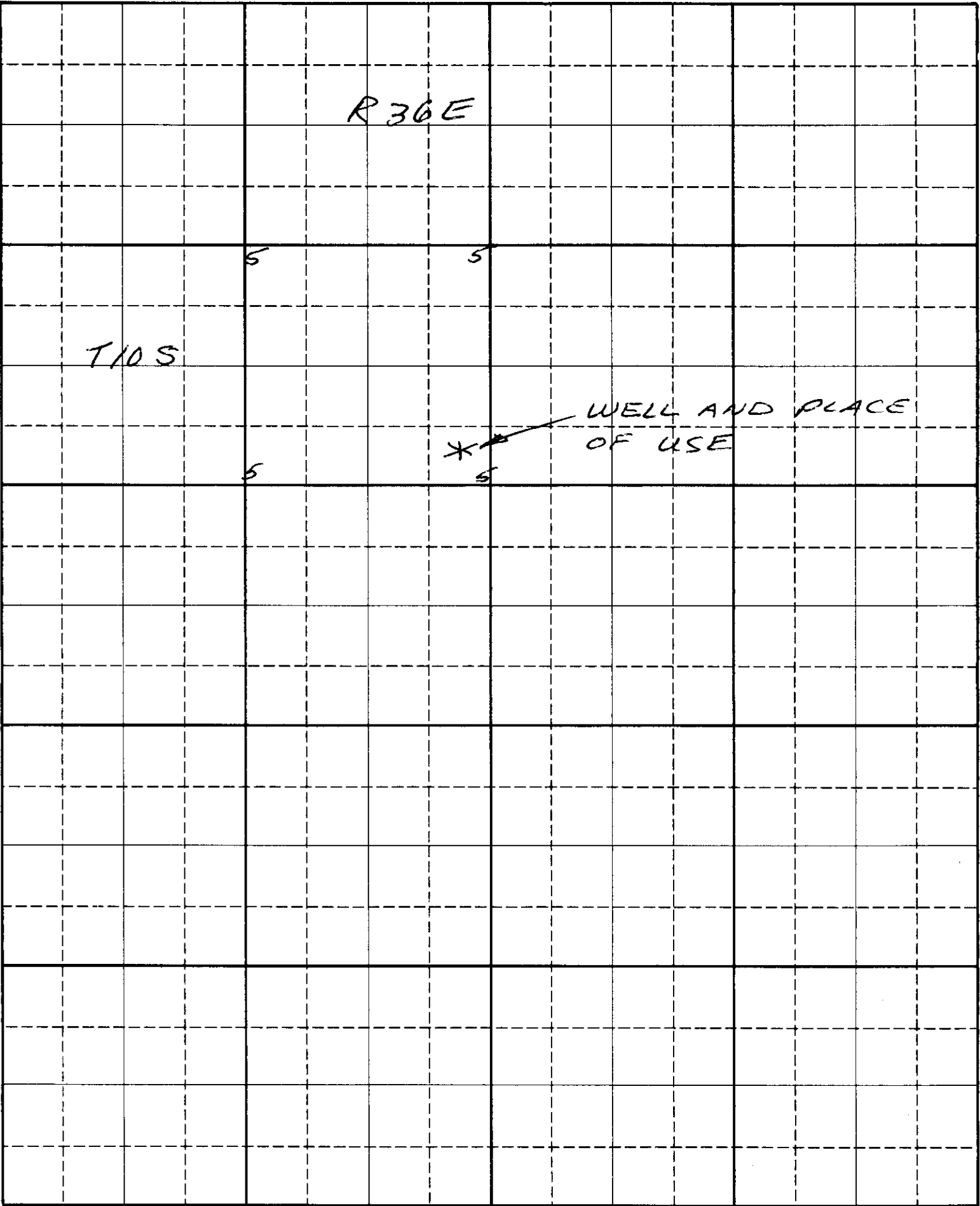
9. a. Who owns the property at the point of diversion Applicant

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

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

10. Remarks

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



Scale: 2 inches equal 1 mile

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

Stephen M. Winkley
(Applicant)

Proposed Priority 4-19-74Received by MB Date 4-19-74 Time 1:00 p.m.Preliminary check by NC Fee \$ 10.00Receipted by MB Date 4-19-74 # 12847Publication prepared by MB Date 4-19-74Published in The Idaho State JournalPublication dates April 25 + May 2, 1974Publication approved UB Date 5/23/74

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RDC NDF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7187, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 19 79.
- c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this 20 day of May, 19 74.

R. Kent Hiji
Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>RDC</u>	<u>4/19/74</u>	Application No. _____
(2)			☒ Source ☒ Point of Diversion ☒ County ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for B/U of water ☒ Place of Use or Acres Irrigated ☒ Map ☒ Signature ☒ Fee
(3)	<u>ll</u>	<u>ll</u>	In form to receipt <u>YES</u>
	<u>ll</u>	<u>ll</u>	Send Copies to: Idaho State Health Department ☒ Idaho Fish and Game Department Bureau of Land Management
(4)	<u>ll</u>	<u>ll</u>	☐ Request Special Use Permit from U.S.F.S. ☒ Request Easement from B.L.M. ☐ Request Information from Applicant
(5)	<u>ll</u>	<u>ll</u>	In form for advertising <u>YES</u>
(6)	<u>ll</u>	<u>ll</u>	Located within Water District No. _____
(7)	<u>ll</u>	<u>ll</u>	Critical groundwater area: yes _____ no <u>✓</u>
(8)	<u>ll</u>	<u>ll</u>	Groundwater levels: _____ Decline (comment) _____ _____ Stable (comment) _____ _____ Increasing (comment) _____
(9)	<u>ll</u>	<u>ll</u>	Comments: <u>NO CONFLICTING GW</u>
(10)	<u>RB</u>	<u>5/23/74</u>	Affidavit of Publication received (date) <u>May 3, 1974</u>
(11)	<u>MB</u>	<u>5/13/74</u>	Final date for protests <u>May 13, 1974</u> Protests received: yes <u>ll</u> no <u>X</u>
(12)	<u>"</u>	<u>"</u>	Date and Place of hearing <u>N.A.</u> Decision reached at hearing <u>N.A.</u>
(13)	<u>RDC</u>	<u>5/13/74</u>	All requested information received from agencies or applicant yes <u>OK</u> no _____
(14)	<u>ll</u>	<u>ll</u>	Action recommended: ☒ Approve Priority <u>4/19/74</u> ☐ Deny Reason for Reduction _____ ☒ No Measuring device required ☐ See attached sheet for additional conditions of approval ☒ No additional conditions for approval
(15)	District <u>E</u>	By <u>RDC</u>	Date <u>5/13/74</u>

RECEIVED
Copy
to
[Signature]

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

RECEIVED
MAY 3 1974

Katherine Wanner

WATER ADMINISTRATION
Area Office

being first duly sworn on oath deposes and says: That _____
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:

April 25 _____, 1974 _____, 19____
May 2 _____, 1974 _____, 19____
_____, 19____ _____, 19____
_____, 19____ _____, 19____
_____, 19____ _____, 19____

That said paper has been continuously and uninterruptedly pub-
lished 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.

Katherine Wanner

Subscribed and sworn to before me this 2nd _____
day of May _____, 1974.

Lella L. Leppard

Notary Public, State of Idaho
Residence: Pocatello, Idaho

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Bannock } ss.

Katherine Wanner

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Katherine Wanner

Subscribed and sworn to before me this 2nd day of May, 1974.

Debra L. Linsford

Notary Public, State of Idaho
Residence: Pocatello, Idaho

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Stephen M. &-or Wayne N. Wheatley, 3445 McKinley, Pocatello, Idaho have on 4-19-74 submitted Application No. 29-7187 for a permit to appropriate 0.20 cubic feet per second of water from a ground-water source by means of well and pump within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T. 10S, R. 36E, B.M. Bannock County; to be used from Jan. 1 to Dec. 31 for domestic purposes for 2 families and from Apr. 1 to Nov. 1 for the irrigation of 6 acres; all uses within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T. 10S, R. 36E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before May 13, 1974.

R. KEITH HIGGINSON
Director

April 25 & May 2, 1974
No. 241

30

PROOF OF PUBLICATION

Duplicate

STATE OF IDAHO
County of Bannock

ss.

Katherine Wanner

MAY 3 1974

WATER ADMINISTRATION
she Area Office

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	19	19
	19	19

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Katherine Wanner

Subscribed and sworn to before me this 2nd

day of May, 1974.

Lella L. Leadford

Notary Public, State of Idaho

Residence: Pocatello, Idaho

PROOF OF PUBLICATION

Supplement
STATE OF IDAHO
County of Bannock

ss.

Katherine Wanner

NOTICE OF APPLICATION FOR WATER PERMIT

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R. KEITH HIGGINSON
Director

April 25 & May 2, 1974
No. 241

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Katherine Wanner
Subscribed and sworn to before me this 2nd

day of May, 1974

Keith L. Leadford

Notary Public, State of Idaho

Residence: Pocatello, Idaho

February 22, 1982

RE: Permit No. 29-7187

Stephen M. Wheatley &/or
Wayne N. Wheatley
Arimo,
Idaho 83214

Dear Sirs:

On January 18, 1982, we forwarded an amendment to you to be completed to amend this permit to correspond with the findings of the field examiner so that we could issue this license.

As of this date, we have not received this amendment. If we do not receive this amendment within fifteen (15) days, we will assume you no longer have any interest in this permit and cancellation proceedings will begin.

If you have any questions, please contact us.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw



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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

January 18, 1982

RE: Permit No. 29-7187

Stephen M. Wheatley &/or Wayne N. Wheatley
Armo,
Idaho 83214

Gentlemen:

A representative of this Department made an examination of the works covered by your Permit No. 29-7187 and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.04 cfs Source: groundwater

The maximum quantity diverted shall not exceed 1.2 acre feet
per year.

Point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, Twp. 10S, Rge. 36E, Bannock County

Beneficial use: Domestic use for 1 unit within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, Twp.
10S, Rge. 36E

Priority date established: April 19, 1974

In order for the Department to issue the above license, it will be necessary for you to amend the permit to correspond with the findings of the field examiner. We are enclosing a partially completed amendment form for your use in this matter.

Please sign the amendment application and return it to this office along with a \$20.00 filing fee within 30 days in order that we might issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

RECEIVED
JAN 21 1982
WATER RESOURCES

March 30, 1982

RE: Permit No. 29-7187

Stephen M. Wheatley &/or
Wayne N. Wheatley
Armo, ID 83214

Gentlemen:

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

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

MICROFILMED

CONVERSATION MEMORANDUM

DATE 3/1/1982

FILE 29-7187

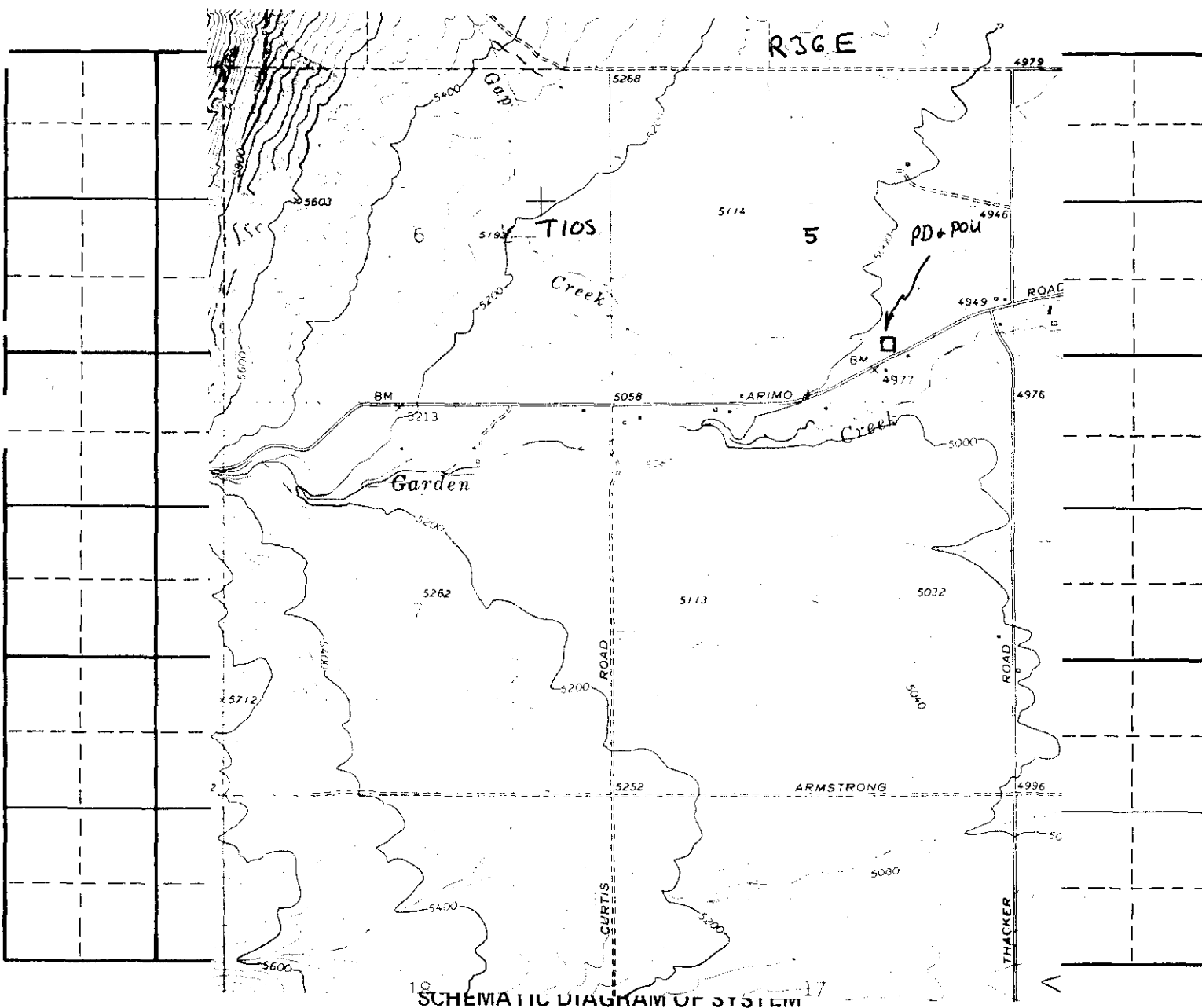
NAME OF PARTY Stephen Wheatley

EMPLOYEE Jim Johnson

RE: Mr. Wheatley called in reference to my letter dated 2/22/1982. He felt that an amendment was not required because he was actually located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 5, Twp. 10S, Rge. 36E as the permit showed. He described his house as being located 60 feet on the east side from a fence line located on the west side of the SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Based upon this information and on the fact that the field examiner had not actually contacted the permit holder it is assumed that no amendment is required and a license can be issued for 1 domestic unit.

MICROFILMED



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

Point(s) of diversion: SW 1/4 of SE 1/4 SECT 5 T10S R36E

Place(s) of Use

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
10 S	36 E	5															*		

Recommended Amendments:

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

Examiner's Signature: [Signature] Date: 9-9-81
 Checked by: [Signature] Date: 10-27-81
 Approved by: [Signature] Date: 12/3/81



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

CERTIFIED MAIL

February 28, 1979

100619

Re: Permit No. 29-7187

Stephen M. Wheatley and/or Wayne N. Wheatley
3445 McKinley
Pocatello, ID 83201

Gentlemen:

One of the conditions of approval of your water Permit No. 29-7187 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before May 1, 1979. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise, the permit will lapse and be of no further force or effect.


RITA FLECK
Water Rights

Encl: Proof affidavit

RECEIVED
FEB 28 1979
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BOISE, IDAHO

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF APPLICATION
OF WATER TO BENEFICIAL USE

APR 23 1979
Department of Water Resources

1. a) Name of permit holder Stephen M. Wheatley and/or Wayne N. Wheatley

b) Post office address ARIMO, 50440

2. Permit number 29-7187

3. Date of priority that you are prepared to establish 5-13-74

4. a) Source from which water was appropriated Well

b) Location of the point of diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 5

Township 10S, Range 36E Boise Meridian. Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:

Amount 0.08 for Domestic purposes from JAN 1 to DEC 31 incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)

Amount 0.12 for IRRIGATION purposes from APRIL 1 to MAY 1 incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)

b) Total amount appropriated 0.20 cfs and/or acre-feet per annum.

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement:

6. If the means of diversion and conveyance are owned by someone other than the permit holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement of understanding by which you take water from the works:

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch):

8" 2 hp 90' well

b) Describe the provision for making a measurement which you have at your point of diversion: (i.e., installed measuring device, access port, other)

None

Exam typed 5/3/79 by [Signature]

c) Give well driller's name and address and the date the well was completed: Intermountain Drill
Box 747. Lava Hot Springs IOAND #106 Completed
July 3, 1974

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:

Culinary Water for applicants residence and
some location as well site

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10S	R36E	5																✓	3.5

Total number of acres irrigated 3 1/2

10. Remarks: this well was drilled to provide water for
culinary use and to sprinkle irrigate 3 1/2 acres at Home
Site

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

4-20-79
(Date)

Stephen M. Whalley
(Signature)

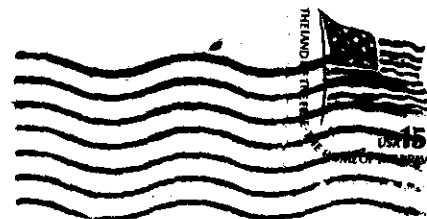
State of Idaho)
County of Bannock) ss.

On this 20th day of April, 19 79, personally appeared before me the
signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Donald J. Hyde
Notary Public
Residing at Arden, Ida

My commission expires May 4, 1982

Steve Wheatley
ARIMO, IDAHO
83214



Dept. of Water Resources
State office, 373. Franklin St.
 Boise, Idaho 83720

RECEIVED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

May 18, 1979

Stephen M. and Wayne N. Wheatley
3445 McKinley
Pocatello, ID 83201

Gentlemen:

Re: Permit No. 29-7187

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

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our regional office in Idaho Falls.

Sincerely,

RITA FLECK
Water Rights

MICROFILMED

May 23, 1974

C Re: Permit No. 29-7187

C Stephen M. &/or Wayne N. Wheatley
3445 McKinley
Pocatello, Idaho 83201

C Gentlemen:

P Enclosed is a copy of your approved Application for Permit No. 29-7187. We direct your attention to the conditions of approval as listed on the fourth page.

P Sincerely,

Y BOBBY D. FLEENOR
Assistant Director

Y BDF/bjg

Enclosure

29-7187

April 19, 1974

Re: Application for Permit No. 29-7183 Hart
No. 29-7185 Marley
No. 29-7186 Wheatley
No. 29-7187 "

Idaho State Journal
P.O. Box 431
Pocatello, ID 83201

Gentlemen:

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

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

An affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

NORMAN C. YOUNG
District Engineer

Bill submitted 5/03/74 by CB

NCY:MB

Enc: Legal Notices (4)

29 7187

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Stephen M. &/or Wayne N. Wheatley,

3445 McKinley, Pocatello, Idaho

have ~~xxx~~ ^{has} on 4-19-74 submitted Application No. 29-7187

for a permit to appropriate 0.20 cubic feet per second ~~acre feet per annum~~

of water from a ground-water source

by means of well and pump

within the SE1/4, Sec. 5, T. 10S, R. 36E, B.M., Bannock County;

to be used from Jan. 1 to Dec. 31 for domestic purposes for 2 families and

~~for~~ from Apr. 1 to Nov. 1 for the irrigation of 6 acres; all uses

within the SE1/4, Sec. 5, T. 10S, R. 36E, B.M.

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R. KEITH HIGGINSON

Director

Published in the Idaho State Journal, Pocatello, Idaho

on April 25 and May 2, 1974.

29 7187

CB-L
CB-A