

13 7128

Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Lavon P. Porter Phone: 747-3741
post office address Clifton, Idaho 83228
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 15 Township 14 S
Range 38 E B.M. Franklin 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 3.0 for Irrigation purpose from April 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)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
Allow 2.92 c.f.s.
a. 3.0 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
well, pump, motor, sprinkler system
- 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 12 inches; proposed depth of well is 220 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 \$ 11,000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ 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 _____
(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:

[illegible]

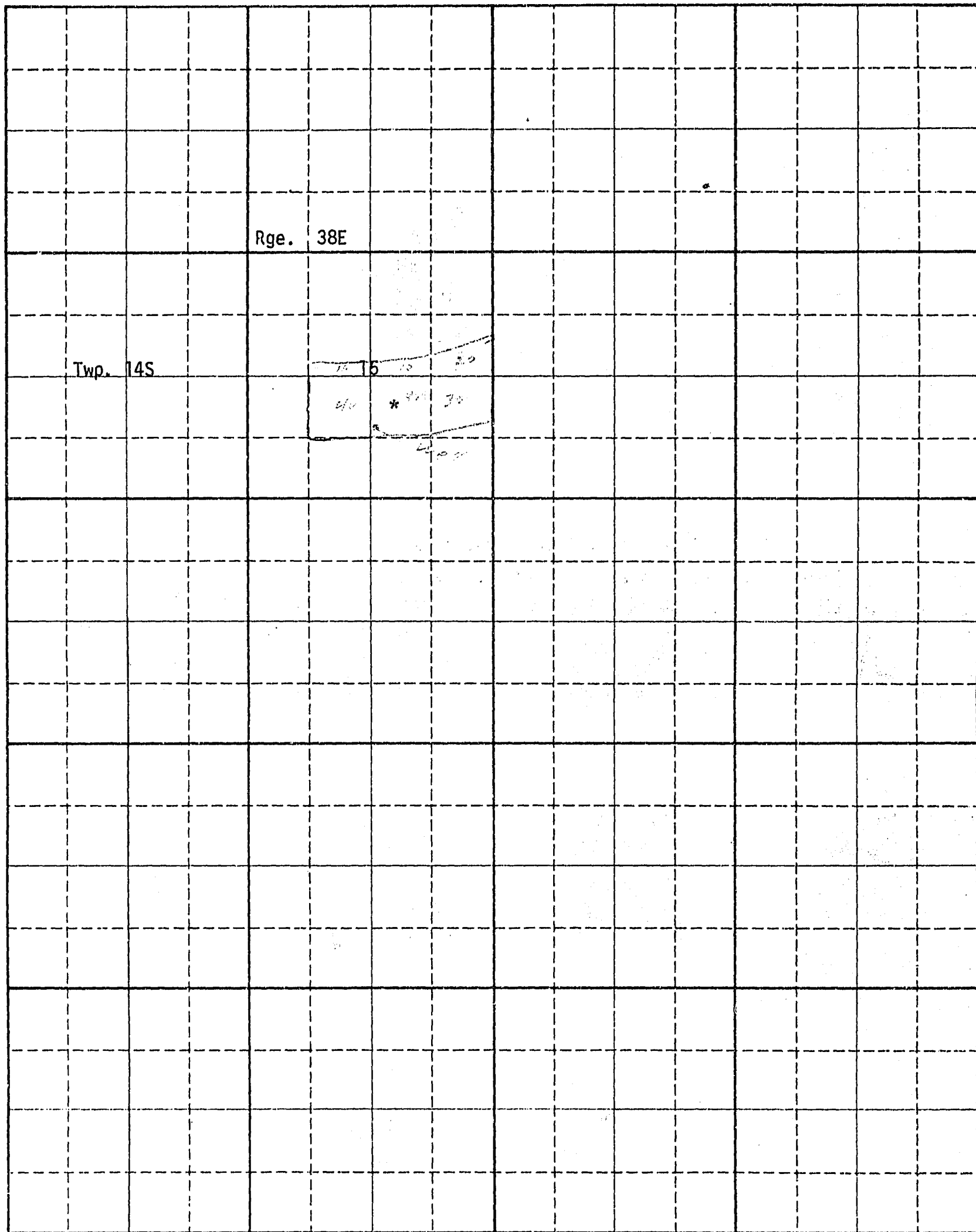
Total number of acres to be irrigated 150

c. Describe any other water rights used for the same purposes as described above. 80 acres of the above
is now partially irrigated from a well in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 15

9. a. Who owns the property at the point of diversion Lavon Porter
b. Who owns the land to be irrigated or place of use Lavon Porter
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.

Levon Porter
(Applicant)

Proposed Priority 2-20-76

Received by lw Date 2-23-76 Time 11:20 A.
2-20-76 Time 1:00 pm

Preliminary check by lw Fee \$ 45.00

Received by mb Date 2-20-76 # 3398

Publication prepared by lw Date 2-26-76

Published in Preston Citizen

Publication dates March 4 + 11, 1976 - April 1 + 8, 1976 headquarters

Publication approved _____ Date _____

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RDC BDF

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. 13-7128, 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 April 1, 1981.

c. Other: 1. A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

2. Maximum rate of diversion shall not exceed 2.92 c.f.s.

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

Witness my hand this 29 day of April, 1976.

R. Keith Higin
Director

RECEIVED

MAR 24 1976

Department of Water Resources
Eastern District Office

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

County of Franklin

..... *Hayme D. Bell*

being duly sworn,

deposes and says:

That he is the *Co. publisher* of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for *two* consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

..... *March 4*, 19*76* and ending

with the issue of *March 11*, 19*76*.

..... *Hayme D. Bell*

Fee \$..... *12.21*

Subscribed and sworn to before me this *23* day
of *March*, 19*76*.

..... *Robert D. Giddis*

Notary Public, Residing at Preston, Idaho

My Commission Expires *March*, 19*78*NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Layon P. Porter, Clifton, Idaho, has on 2-29-76 submitted Application No. 12,718 for a permit to appropriate 1.00 cubic feet per second of water from a ground water source by means of well and pump within the NW 1/4 SE 1/4, Sec. 15, T. 14S. R. 38E., B.M. Franklin County; to be used from Apr. 1 to Nov. 1 for the irrigation of 150 acres within the S 1/2 NE 1/4, SE 1/4 NW 1/4, NW 1/4 SW 1/4, N 1/2 SW 1/4, Sec. 15, T. 14S, R. 38E., 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 Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before March 22, 1976.

R. KEITH HIGGINSON
Director

Published in the Preston Citizen, Preston, Idaho on March 4 and March 11, 1976.
Legal No. 100 - Pub.

No 117

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

County of Franklin

Wayne D. Bell

being duly sworn,

deposes and says:

That he is the *co-publisher* of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for *two* consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

April, 19*76*, and ending

with the issue of *April 8*, 19*76*.

Fee \$ *10.73*

Subscribed and sworn to before me this *22* day

of *April*, 19*76*.

Wayne D. Bell

Notary Public, Residing at Preston, Idaho

My Commission Expires *March*, 19*78*

RECEIVED

APR 26 1976

Department of Water Resources
Eastern District Office

NOTICE OF CORRECTION

Notice is hereby given that Application No. 13-7128 in the name of Lavon P. Porter was advertised incorrectly on March 4 and March 11, 1976. The place of use was advertised as being within the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 14S, R. 38E, B.M. *1/4 SW*

WHEREAS, the actual place of use is within the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 14S, R. 38E, B.M.

Any protests against the granting of this permit as a result of this correction must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before April 19, 1976.

R. KETH HIGGINSON
Director

Published in the Preston Citizen, Preston, Idaho, on April 1 and April 8, 1976.

Legal No. 117 — Pub. April 1, 8, 1976.

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

13-2217
13-7128
13-2342

13 7128

Item Initial Date

LH 2-24-76

Application No. _____

- ☒ 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

(1) " "

In form to receipt YES

(2) " "

Send Copies to:

- Idaho State Health Department
- Idaho Fish and Game Department
- NA Bureau of Land Management

(3) " "

- NA Request Special Use Permit from U.S.F.S.
- Request Easement from B.L.M.
- Request Information from Applicant

(4) " "

In form for advertising YES

(5) " "

Platted on Map No. _____

(6) " "

NA Located within Water District No. _____

(7) " "

Critical groundwater area: yes _____ no ☒

(8) " "

Groundwater levels:

Declining, ☒ Stable, _____ Increasing

(comment) Ref obs well 145 38E 15C DCL

(9) " "

Other rights on the same place of use NO

(10) " "

Comments: NO Conflicting G.W. Rights

(11) CW 4-26-76
3-24-76

Affidavit of Publication received (date) April 26, 1976
March 24, 1976

(12) RDC 3/21/76

Final date for protests April 19, 1976
March 22, 1976

Protests received: yes _____ no ☒

(13) " "

All requested information received from agencies or applicant: yes _____ no _____

(14) " "

Action recommended:

☒ Approve

APR 27 1976 Deny

2/20/76 Proposed Priority

Department of Water Resources

Reason for Reduction _____

☒ Measuring device required

See attached sheet for other conditions of approval

X No special conditions for approval

(15) District E

By RDC

Date 4/26/76

LICENSE 12-2254 OVERLAPS
4 ACRES INTO NW 1/4 SE 1/4
SEC 15 T 14S R 38E
0.08 CFS Q EX. REDUCE
Q TO 2.92 CFS

Allow 2.92 cfs type in item 415
and as a condition of permit

Copy
Matter

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Lavon P. Porter,

Clifton, Idaho

has on 2-20-76 submitted Application No. 13-7128

for a permit to appropriate **3.00** cubic feet per second ~~XXXXXXXXXXXXXXXXXXXX~~

of water from a ground-water source

by means of well and pump

within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 14S, R. 38E, B.M., Franklin County;

to be used from Apr. 1 to Nov. 1

for the irrigation of 150 acres

within the $S\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$, $N\frac{1}{4}SE\frac{1}{4}$, Sec. 15, T. 14S, R. 38E, 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 Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before _____

March 22, 1976

R. KEITH HIGGINSON

Director

Published in the **Preston Citizen, Preston, Idaho**

on March 4 and March 11, 1976

me H.
me G.

February 27, 1976

RE: Claim to a Water Right No. 13-4032 GREGERSEN
Application for Permit No. 13-7128 PORTER

The Preston Citizen
Box 472
Preston, Idaho 83263

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,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted 3-24-76 by Carl

RDC:CH

Enc: Legal Notice (2)

March 22, 1976

RE: Application for Permit No. 13-7128 PORTER

Claim to a Water Right No. 13-4032 GREGERSEN

The Preston Citizen
Box 472
Preston, Idaho 83263

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced applications. The legal notice was to have been published in your paper on March 4 and March 11, 1976.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CN

cc: IDWR - State Office

NOTICE OF CORRECTION

Notice is hereby given that Application No. 13-7128 in the name of Lavon P. Porter was advertised incorrectly on March 4 and March 11, 1976. The place of use was advertised as being within the $S\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $NW\frac{1}{4}SW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$, Sec. 15, T. 14S, R. 38E, B.M.

WHEREAS, the actual place of use is within the $S\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$, Sec. 15, T. 14S, R. 38E, B.M.

Any protests against the granting of this permit as a result of this correction must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before April 19, 1976.

R. KEITH HIGGINSON

Director

Published in the Preston Citizen, Preston, Idaho, on April 1 and April 8, 1976.

0-7-76
me-8

March 25, 1976

RE: Application for Permit No. 13-7128 PORTER

Preston Citizen
Box 472
Preston, Idaho 83263

Gentlemen:

We are resubmitting a legal notice for the above referenced application for permit to be published on April 1 and April 8, 1976. This notice was originally published in your newspaper on March 4 and March 11, 1976, but unfortunately it was advertised incorrectly. Since we did not receive a galley proof we had no way of checking the correctness of this application advertisement before it went to print.

In reviewing the affidavit of publication we find that a portion of the place of use was advertised incorrectly. We, therefore, request that this be advertised again at your expense. Please submit a galley proof before the first date of publication for our review.

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 date of 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.

If you have any questions, please contact this office.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Enc: Legal Notice (1.)
cc: IDWR - State Office

No bill - Newspaper error

April 19, 1976

RE: Application for Permit No. 13-7130 SPARKS
" " " No. 13-7128 PORTER (Correction)

Preston Citizen
Box 472
Preston, Idaho 83263

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced applications. The legal notice was to have been published in your paper on April 1 and April 8, 1976.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

cc: IDNR - State Office

April 29, 1976

Re: Permit No. 13-7128

Lavon P. Porter
Clifton, ID 83228

Dear Mr. Porter:

Enclosed is a copy of your approved Application for Permit No. 13-7128. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

Enclosure: Copy of permit

RECEIVED

AUG 3 1979

Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

57/5
750

I, Lavon P. Porter, hereby assign to G. Eugene Mumford
of Clifton, ID 83228
Address

CHECK ONE

- ☒ All my right, title, and interest in and to Permit No. 13-7128
to appropriate the public waters of the State of Idaho.
- ☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.
(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 3 day of August, 19 79.

Lavon P. Porter
Permit Holder

Spouse of Permit Holder

State of Idaho)
County of Bonneville) ss.

On this 3 day of August, 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.

seal

William Wray
Notary Public residing at
Idaho Falls, Idaho

My commission expires:
6/15/81

Please file

March 25, 1976

RE: Application for Permit No. 13-7128 PORTER

Preston Citizen
Box 472
Preston, Idaho 83263

Gentlemen:

We are resubmitting a legal notice for the above referenced application for permit to be published on April 1 and April 8, 1976. This notice was originally published in your newspaper on March 4 and March 11, 1976, but unfortunately it was advertised incorrectly. Since we did not receive a galley proof we had no way of checking the correctness of this application advertisement before it went to print.

In reviewing the affidavit of publication we find that a portion of the place of use was advertised incorrectly. We, therefore, request that this be advertised again at your expense. Please submit a galley proof before the first date of publication for our review.

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 date of 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.

If you have any questions, please contact this office.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CM

Enc: Legal Notice (1)
cc: IDWR - State Office

April 19, 1976

RE: Application for Permit No. 13-7130 SPARKS
" " " No. 13-7128 PORTER (Correction)

Preston Citizen
Box 472
Preston, Idaho 83263

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced applications. The legal notice was to have been published in your paper on April 1 and April 8, 1976.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CN

cc: IDWR - State Office

August 13, 1979

Eugene Mumford
Clifton,
ID 83228

Dear Mr. Mumford:

RE: Permit No. 13-7128

This is to acknowledge receipt of the assignment conveying the above referenced permit to you. The assignment has been recorded and the Department's records changed accordingly.

Enclosed for your records is a copy of the permit. Please note the conditions of approval on the fourth page.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:rr

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now G. Eugene Mumford
of (address) Clifton, ID 83228, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 13-7128, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NE ¼ SW ¼, Section 15, Township 14S, Range 38E, B.M.,
County of Franklin. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount _____ for No Change 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)

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

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14S	38E	14							26			26	40						92
		15				40									8			10	58

Total number of acres to be irrigated = 150

4. a. Who owns the property at the point of diversion? Applicant
b. Who owns the land to be irrigated or the 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: _____

No 1080

AFFIDAVIT OF PUBLICATION

RECEIVED

MAY 2

Department of Water Resources
Eastern District Office

STATE OF IDAHO, }
County of Franklin }

J. Warren Ross

being duly sworn,

deposes and says:

That he is the Co-Publisher of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

March 27, 1980, and ending

with the issue of April 3, 1980.

Fee \$ 10.00

Subscribed and sworn to before me this 28th day
of April, 1980.

Ken O. Allen

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1982

NOTICE OF PROPOSED AMENDING
OF WATER PERMIT

Notice is hereby given that Permit No. 13-7128 in the name of G. Eugene Mumford was issued for the diversion of 2.92 cfs of water from a groundwater source with the point of diversion within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, Twp. 14S, Rge. 38E, B.M., Franklin County; to be used for the irrigation of 150 acres within the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 15, Twp. 14S, Rge. 38E, B.M.

The permit holder now proposes to amend Permit No. 13-7128, changing the point of diversion to the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, Twp. 14S, Rge. 38E, B.M., Franklin County and the place of use to the SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 14; SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 15; Twp. 14S, Rge. 38E, B.M.

Any protest to the proposed amending of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before April 14, 1980.

C. STEPHEN ALLRED
Director

Legal No. 1080 - 28L - Pub. March 27
and April 3, 1980.

80-D

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 13-7128

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

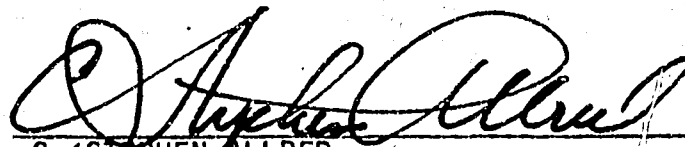
WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 18th day of August, 1978.


C. STEPHEN ALLRED
Director



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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

June 18, 1980

Dear Wateruser:

The enclosed Order changes the measuring device, condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the Regional Office nearest to you.

Sincerely,

David R. Tuthill Jr.

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

DRT:jg

Enclosures

Northern Region Office
Rt. #5 Box 203, Government Way
Coeur d'Alene, Idaho 83814

Southern Region Office
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301

Eastern Region Office
1515 Lincoln Road
Idaho Falls, Idaho 83401

Western Region Office
92 South Cole Road
Boise, Idaho 83705

NOTICE OF PROPOSED AMENDING OF WATER PERMIT

Notice is hereby given that Permit No. 13-7128 in the name of G. Eugene Mumford was issued for the diversion of 2.92 cfs of water from a groundwater source with the point of diversion within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, Twp. 14S, Rge. 38E, B.M., Franklin County; to be used for the irrigation of 150 acres within the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 15, Twp. 14S, Rge. 38E, B.M.

The permit holder now proposes to amend Permit No. 13-7128, changing the point of diversion to the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, Twp. 14S, Rge. 38E, B.M., Franklin County and the place of use to the SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 14; SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 15; Twp. 14S, Rge. 38E, B.M.

Any protest to the proposed amending of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before April 14, 1980.

C. STEPHEN ALLRED

Director

Published in the Preston Citizen 3/27 & 4/03/1980.

April 15, 1980

RE: Application for Amendment No. 13-7128 MUMFORD
Application for Permit No. 13-7277 MUMFORD
Claim to a Water Right No. 13-4122 MUMFORD

Preston Citizen
P.O. Box 472
Preston, Idaho 83263

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notices were to have been published in your paper on March 27 and April 3, 1980.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

KAY WALKER
Secretary

CW:kw

State of Idaho
Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: Ernest Carlson

Right Number 13-7128 Applicant Mumford

Purpose of Amendment: ☒ Change point of diversion. ☐ Add diversion point(s).

☐ Increase amount. ☒ Change place of use. ☐ Other _____

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☒ Existing water rights from the same source, amended place of use. — None shown on record
- ☐ Right number(s) _____
- ☒ Yes ☐ No Should amendment be advertised?
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Amendment published correctly.
- ☐ Protests processed.
- ☒ Approve.
- ☐ Deny.

Conditions Access point

Approves this amendment provided that the conditions listed on page 4 of Permit No. 13-7128 ARE MET.

By Ernest Carlson Date May 8, 1980

STATE OFFICE PROCESSING:

- ☒ Amendment correct and complete. By Jmi Date 6/9/80
- ☐ Approved copy sent to applicant and to Region By _____ Date _____

June 20, 1980

G. Eugene Mumford
Clifton,
Idaho 83228

Dear Mr. Mumford,

RE: Permit No. 13-7128

Enclosed is a copy of the approved application for amendment submitted in connection with the above referenced permit.

If you have any questions concerning this matter, please contact us.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:mr

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

MUMFORD, G. EUGENE
CLIFTON, ID 83228

1883-11

JANUARY 31, 1981

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 13-7128 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE APRIL 01, 1981. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY 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. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF \$15.00 MUST BE SUBMITTED WITH THIS FORM.

EITHER THE BENEFICIAL USE POST CARD 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 WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENCLOSURES

G. Eugene Munford
Clifton Idaho
83228

LIFTON, ID
FEB
10
AM
1981
83228



RECEIVED

FEB 13 1981

Department of Water Resources



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 13-7128.

Name(s) of Permit Holder: G. Eugene Mumford

Post Office Address: Clifton ID 83228

Tel. No. 747-3350

Source of Water: ground water

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 150 (acres)
☐ Other

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

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

Feb 9, 1981
Date

G. Eugene Mumford
Signature of Permit Holder



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

February 26, 1981

RE: Permit No. 13-7128

G. Eugene Mumford
Clifton
Idaho 83228

Dear Mr. Mumford

We acknowledge receipt of the proof of beneficial use card submitted 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 eastern regional office.

Very truly yours,

HAROLD W. JONES
Sr. Resource Agent

cc: IDWR - State Office

State of Idaho
Department of Water Resources
WATER RIGHT LICENSE

License of Water Right No. 13-7128 Priority February 20, 1976 Amount 0.84 cfs

THIS IS TO CERTIFY, that G. Eugene Mumford
of Clifton, Idaho, has complied with the terms and conditions of Permit
No. 13-7128 issued pursuant to Application for Permit dated February 20, 1976,
and has submitted proof to the Department of Water Resources on February 12, 1981,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.84 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>November 1</u>	at <u>0.84</u> cfs and	<u>356.6</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.84 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
356.6 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 15,
Twp 14S, Rge 38E in the County of Franklin

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
14S	38E	14							27			26	39						92
		15				40									8			10	58

Total number of acres irrigated 150

CONDITIONS OF APPROVAL

- a. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.
- b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.
- c. Any water right confirmed in this license 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 license 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 license.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 9TH day of MAY, 19 86.

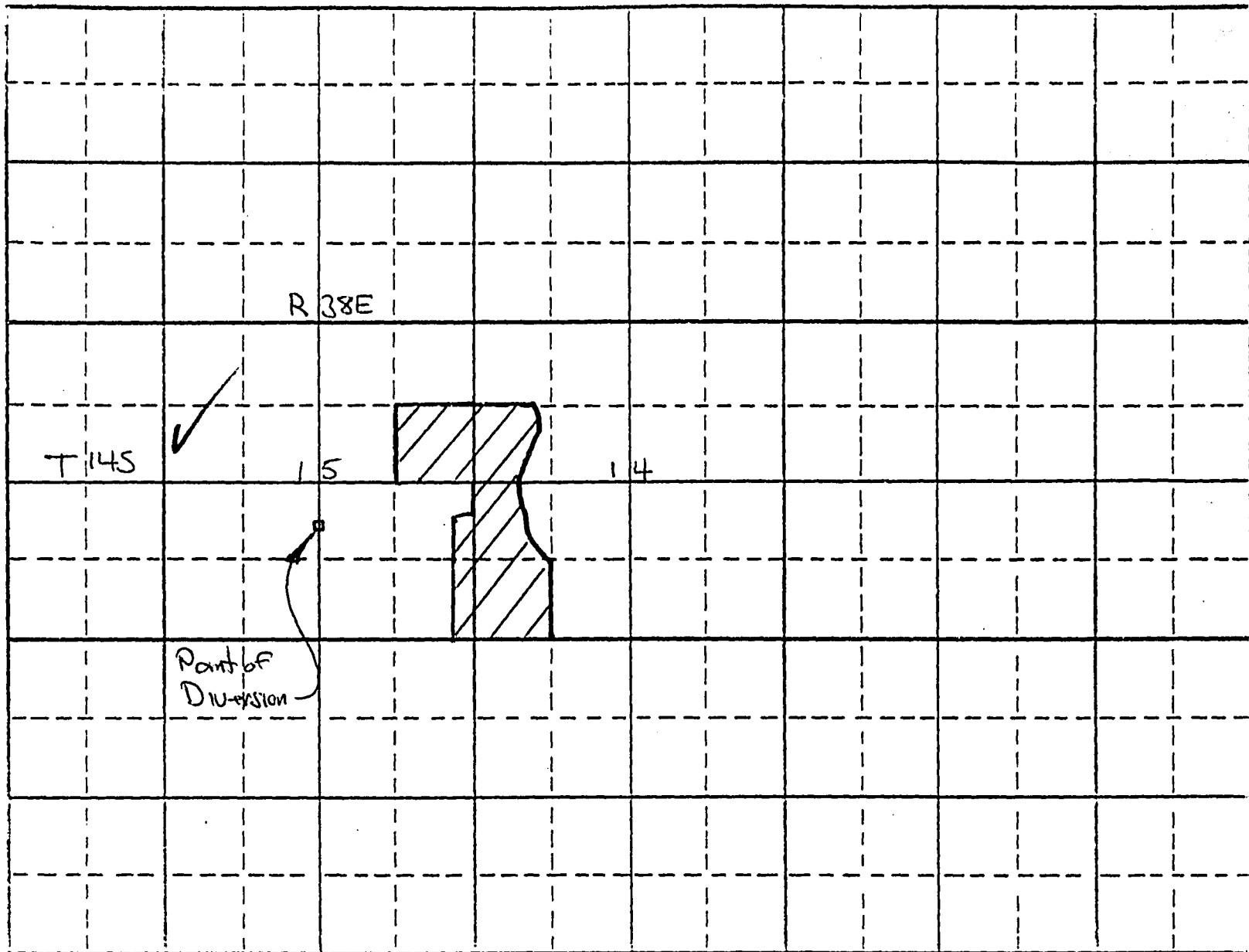
Acting for the Director

Roman C. Young

MS
✓

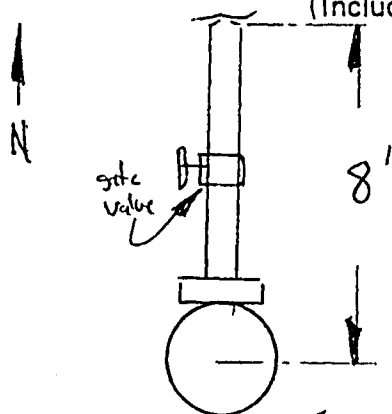
Acres reduced from amts. on aerial photo since permit only allows for 150 acres.

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

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



Point(s) of diversion: NE 1/4 SW 1/4 Sect. 15 T14S R38E

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	
14S	38E	14							27			26	39						92
		15				40								8				10	58

Total 150

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

H.W. Jones

Date 1-18-84

Checked by

Keith Wilson

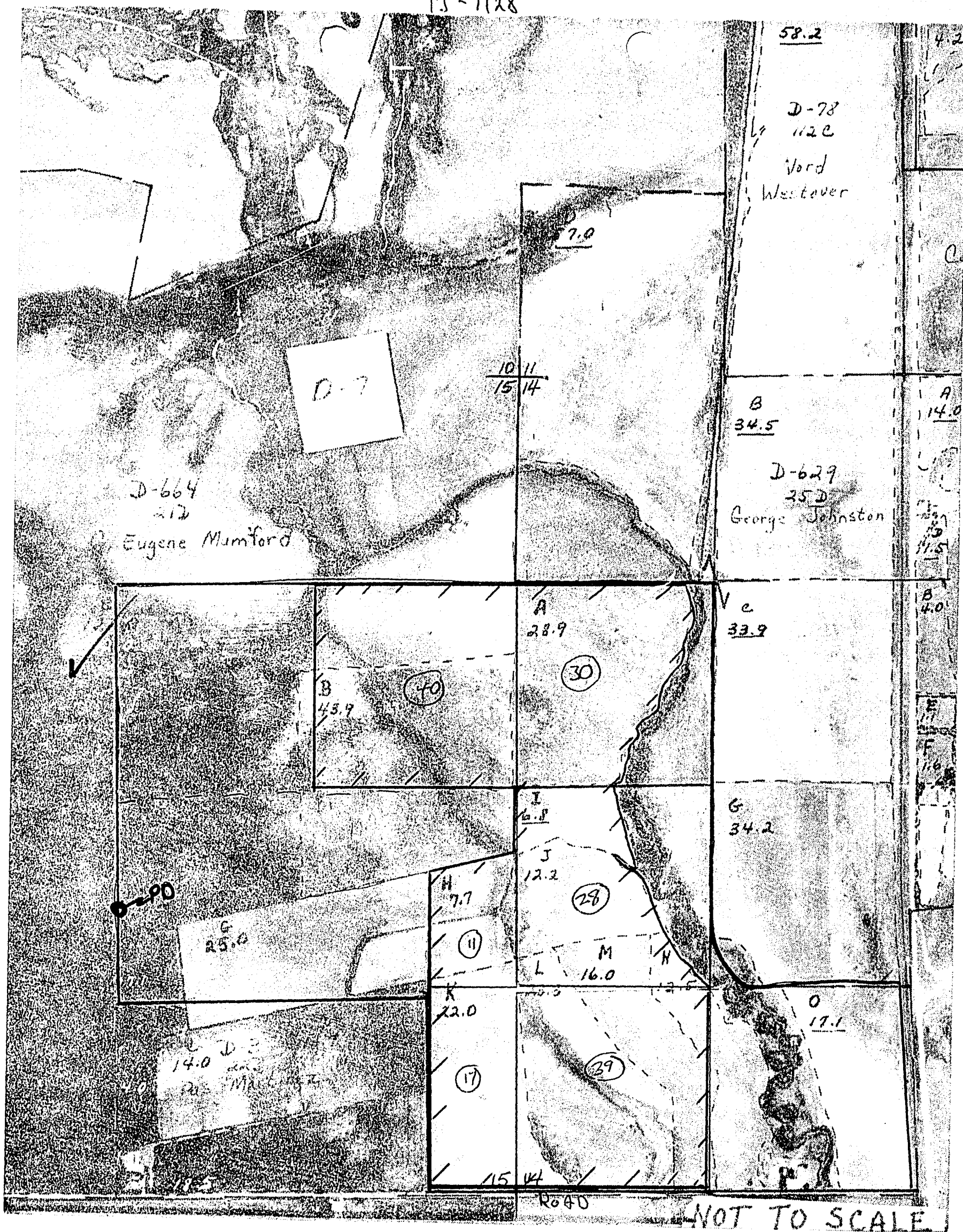
Date 14 Nov 1984

Approved by

K. Walker

Date 4-14-1986

13-7128



Report No. 13-7128

Mumford

(Name)

EXAMINATION: DATE: 8-19-82

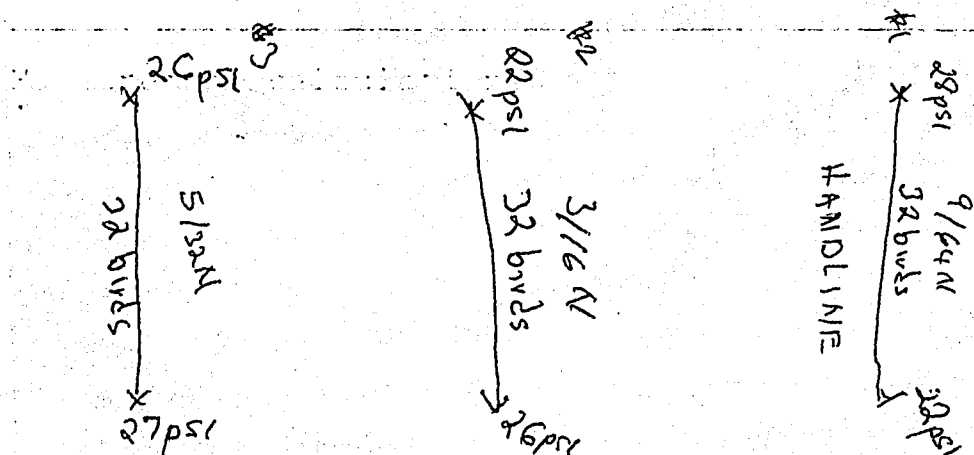
Accompanied by: Mr. Mumford

Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No.
US Motors	75	NA	Layne-Bauer	44321

Measuring Device Type: Pilot Gauge

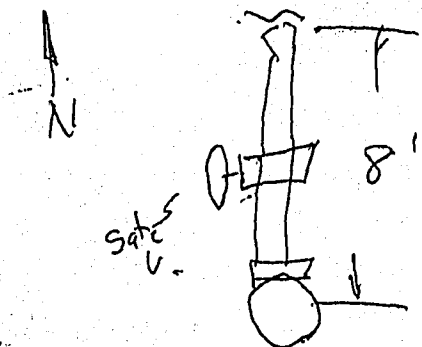
Motor # _____ Annubar # _____ Size # _____

Remarks:



SCHEMATIC DIA. HAZ. W. SYSTEM

See the Diagram for details





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

April 21, 1986

RE: Permit No. 13-7128

G. Eugene Mumford
Clifton,
Idaho 83228

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

If you do not concur with the information shown on the draft license, please advise the Department within ten (10) days. If you have any questions, please let us know; otherwise, the license will be issued as identified on the draft copy.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure



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

May 14, 1986

RE: Permit No. 13-7128

G. Eugene Mumford
Clifton,
Idaho 83228

Dear Mr. Mumford:

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

Enclosure