

Identification No. 13 7208

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 Winder-Banida Water & Sewer Dist. Phone: 852-1096
post office address Rt. #3, Preston, Idaho 83263
2. Source of water supply unnamed spring which is a tributary of sinks
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 32 Township 13S
Range 39E 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 0.48 for Domestic purpose from Jan. 1 to Dec. 31 (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:
a. 0.48 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. buried perforated collector pipes that flow
into a concrete collection box, 6" x 400' pipe to a reservoir and distribution
system
80,000 Gal. Storage Tank(used in previous 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 _____ inches; proposed depth of well is _____ 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 \$ 140,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation: SEE ITEM 8b
(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 Village of Banida, or number of families to be
supplied with domestic water 26.
(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.	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	12	X																
14S	39E	6									X		X	X		X	X	X	
		7					X	X											

Total number of acres to be irrigated _____

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

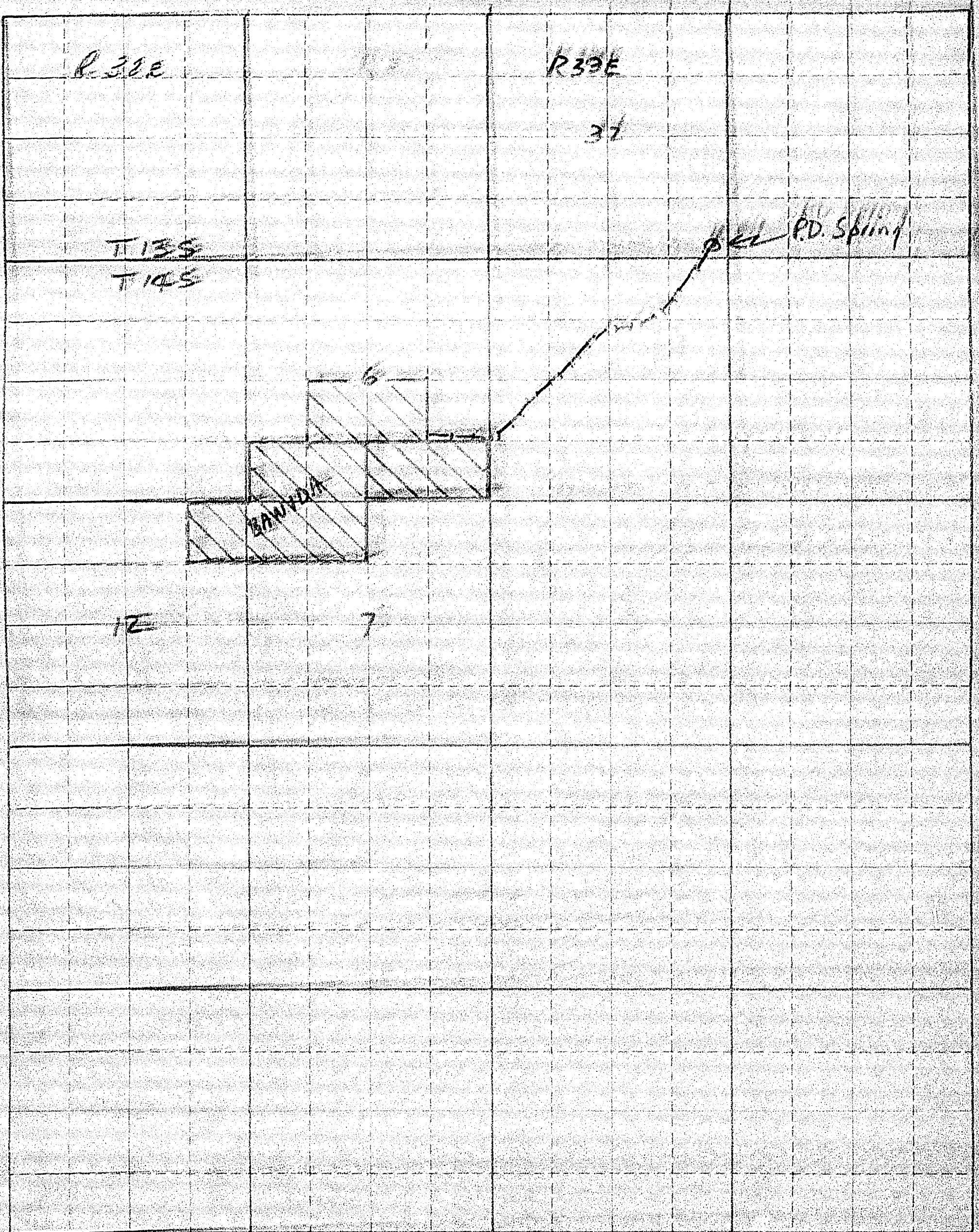
9. a. Who owns the property at the point of diversion Mrs. Huitau Miles

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing In process of obtaining easement access and use of water from Mrs. Miles

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:

Winder and Banida Water & Sewer Dist.
SI W. B. Smith Sec.
(Applicant)

Proposed Priority: 7/25/77

Received by CW Date 8-05-77 Time 1:15 P.
ME Date 7-25-77 Time 11:15 A.
Preliminary check by Jay Fee \$ 25.00 # 8310
Receipted by CW Date 8-01-77
Publication prepared by CW Date 8-05-77
Published in Crater City
Publication dates Aug 11-18-1977
Publication approved me Date August 22, 1977
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EME jc

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. 13-7208, 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 September 1, 19 82.

c. Other: 1. For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water.

2. The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 23 day of September, 19 77.

A. Kenneth Dunn
Deputy Director

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Franklin

ss.

RICHARD D. STOCKDALE

being duly sworn,

deposes and says:

That he is the Office Manager 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

August 11th, 1977, and ending

with the issue of August 18th, 1977.

Richard D. Stockdale

Fee \$ 14.06

Subscribed and sworn to before me this 18th day

of August, 1977.

Notary C. W. Thompson

Notary Public, Residing at Preston, Idaho

My Commission Expires August 11, 1980

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Winder-Banida Water & Sewer Dist., Preston, Idaho has on 7-25-77 submitted Application No. 13-7208 for a permit to appropriate 0.48 cubic feet per second of water from an unnamed spring by means of pipeline and collection box within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, T. 13S, R. 39E, B.M., Franklin County; to be used from Jan. 1 to Dec. 31 for domestic purposes for 26 families within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 7, T. 14S, R. 39E, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, T. 14S, R. 38 E, 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 August 29, 1977.

C. STEPHEN ALLRED
Director

Published in the Preston Citizen on August 11 and August 18, 1977.

Legal No. 445 — Pub. Aug. 11, 18, 1977.

RECEIVED

AUG 22 1977

Department of Water Resources
Eastern District Office

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 13-7208

- ☒ 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) JMJ 8/1/77 In form to receipt yes
- (2) " " Send Copies to:
☒ Idaho State Health Department
☒ Idaho Fish and Game Department
☒ Bureau of Land Management
- (3) " " 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. D.D. - 43
- (6) " " Located within Water District No. Basin 13
- (7) " " Critical groundwater area: yes no
- (8) " " Groundwater levels:
Declining, Stable, Increasing
(comment) "
- (9) " " Other rights on the same place of use none
- (10) " " Comments: Applicant stated there were shallow individual wells that have dried up.
- (11) CW 8-22-77 Affidavit of Publication received (date) Aug 22-1977
- (12) AW 8-29-77 Final date for protests August 29-1977
Protests received: yes no
- (13) EMC 8-29-77 All requested information received from agencies or applicant: yes no
- (14) EMC 8-29-77 Action recommended:
☒ Approve ☐ Deny
- 7-25-77 Proposed Priority
Reason for Reduction
- ☒ Measuring device required
☒ R/W Clause
See attached sheet for other conditions of approval
- ☐ No special conditions for approval
- (15) District Eastern By Ernest Colman Date 7-29-77



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

August 2, 1977

RE: Application for Permit No. 13-7208 and 13-7209

Mr. Marion H. Bennett
Route #3
Preston, Idaho 83263

Dear Mr. Bennett:

Attached herewith is departmental receipt No. 8310 in the amount of \$50.00 for the above referenced applications.

We have taken the liberty of retyping your applications, making a few necessary changes in order to complete them for advertising. Please review the retyped applications and if they meet with your approval, sign and return to this office on or before August 29, 1977, which is the final date of protest.

If you have any questions concerning this matter, please feel free to contact me.

Very truly yours,

LOY H. JOHNSON
Senior Water Resource Agent

LHJ:cw

Attachment

Enclosures (2)

August 3, 1977

RE: Application for Permit No. 13-7208/13-7209

Mr. Kirby Vickers
Public Health Engineer
Department of Health & Welfare
636 Pershing
Pocatello, ID 83201A

Dear Mr. Vickers:

We are enclosing a copy of two applications that may be of interest to your agency. Please review the applications and if you have any comments, submit them to our Department as soon as possible. The last date of protest is August 29, 1977, and we are required to take final action shortly thereafter.

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

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:CD

Enclosures

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Winder-Banida Water & Sewer Dist.,
Preston, Idaho

has on 7-25-77 submitted Application No. 13-7208
for a permit to appropriate 0.48 cubic feet per second XXXXXXXXXXXXXXXXXXXX
of water from an unnamed spring
by means of pipeline and collection box
within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, T. 13S, R. 39E, B.M., Franklin County;

to be used from Jan. 1 to Dec. 31
for domestic purposes for 26 families

within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 7, T. 14S, R. 39E,
NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, 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 August 29, 1977

C. STEPHEN ALLRED
XXXXXXXXXXXXXXXXXXXX
R. KEITH HIGGINSON

Director

Published in the Preston Citizen
on August 11 and August 18, 1977

Me. A.

August 5, 1977

RE: Application for Permit No. 13-7207 SPARKS
13-7208 BANIDA-WINDER
13-7209 " "
13-7210 FORMAN
13-7211 WRIGHT

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

RDC:CW

Enc: Legal Notice (5)

Bill submitted 8-22-77 by Cal

Identification No. 13 7208

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

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

1. Name of applicant Winder-Banida Water & Sewer Dist. Phone: 852-1096
post office address Route 3 Preston, Idaho 83263
2. Source of water supply Spring ^{SE}~~NE~~ which is a tributary of _____
3. a. Location of point of diversion is NE¹/₄ ^{SE}~~NE~~ 1/₄ of SE¹/₄ 1/₄ of Section 34-32 Township 13
Range 39E 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 _____ 1/₄
of _____ 1/₄ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
.48 CFS or 216 gallons per minute
Amount _____ for Domestic purpose from Jan. 1 to Dec. 31 (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:
a. _____ cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____

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 _____ inches; proposed depth of well is _____ 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 \$ _____.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ 1/₄ of _____ 1/₄ of Section _____ Township _____
Range _____ B.M. Parts of Sections 20, 28, 29, 32, 33 Township 14 Range 39
6-7
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered Sec 12 - 14 - 38

(4) Name of municipality to be served Winder-Ward or number of families to be supplied with domestic water 26.
(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.	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	
~~14~~	~~39~~	~~20~~			X	X													
~~14~~	~~39~~	~~29~~	X			X													
14	39	28		X	X														
14	39	32	X			X													
14	39	6			X	X					X								
14	38	12	X																
14	39	7					X												

Total number of acres to be irrigated _____

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

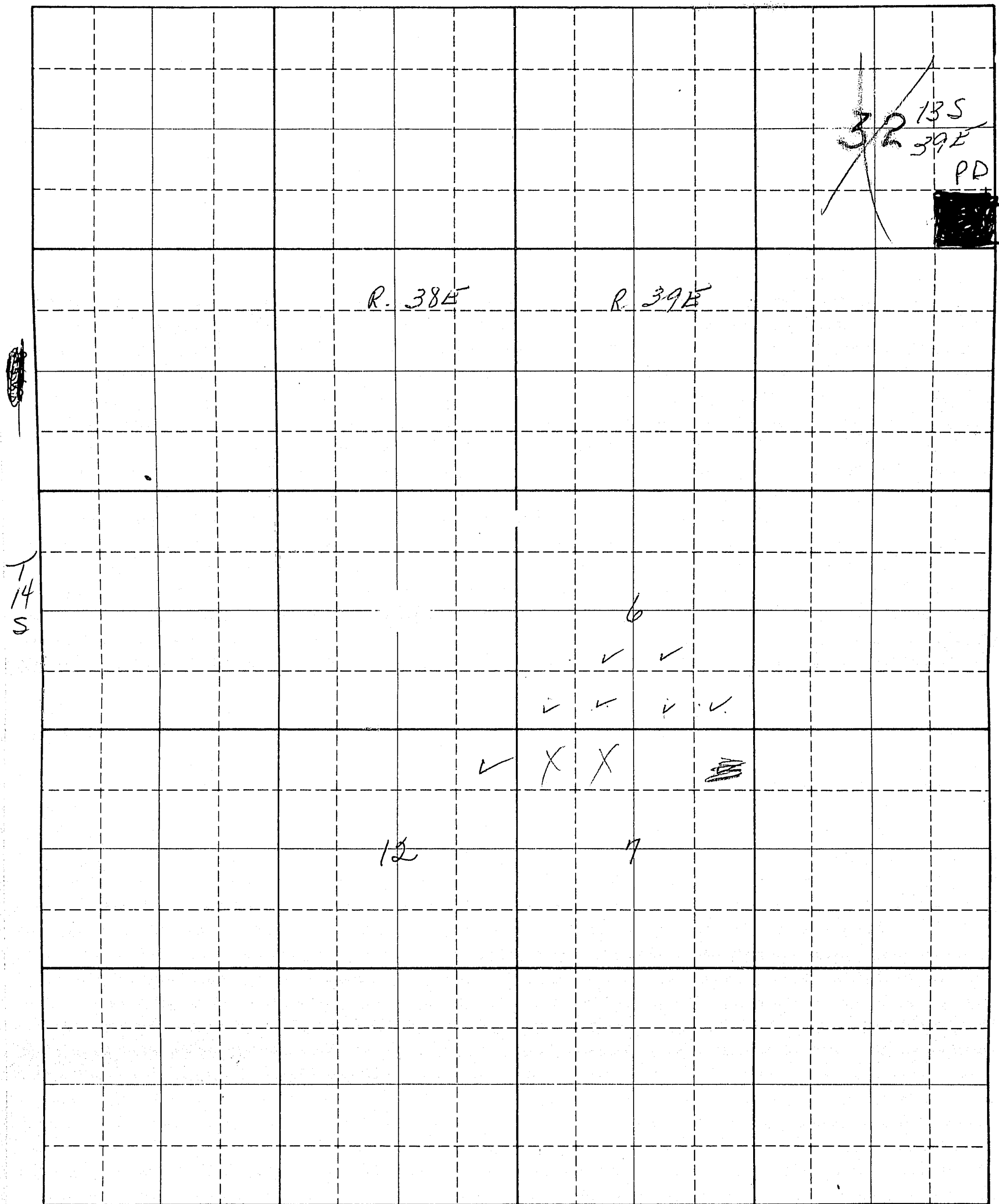
9. a. Who owns the property at the point of diversion Wilford Bosworth % 69 Farms

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

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.

G. Martin H. Bennett
(Applicant) Sec.

Received by me Date 7-25-77 Time 11:15 a.

Preliminary check by JD Fee \$ 25.00

Received by CW Date 8-01-77 # 8310

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

Publication approved _____ Date _____

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

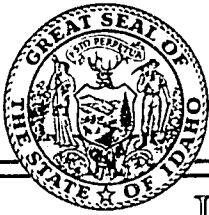
b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.

c. Other: _____

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

Witness my hand this _____ day of _____, 19____.

Director



STATE OF IDAHO

RECEIVED

AUG 10 1977

DEPARTMENT OF HEALTH AND WELFARE

Department of Water Resources
Eastern District Office

DIVISION OF ENVIRONMENT
636 Pershing
Pocatello, Idaho
83201

9 August 1977

C

Winder-Banida Water and Sewer District
Route #3

Preston, Idaho 83263

Re: Application #13-7208
(Franklin County)

Gentlemen:

O

We have been apprised of your intent to appropriate public waters of the State of Idaho to provide domestic water for twenty-six families (connections) in the Village of Banida. The use is defined as a public water supply.

P

Title 39-118 of the Idaho Code requires that plans and specifications must be reviewed and approved by our Department prior to construction. For your information we are enclosing a copy of the Idaho Drinking Water Standards. The standards present the minimum requirements for construction and operation of a public water system.

Y

If you have any questions concerning our requirements, please do not hesitate to contact our office.

Yours very truly,

Henry L. Moran, P.E.
Rgnl. Environmental Supervisor

HLM/md

Enc.

CC: Ron Carlson ✓
Jack Palmer
Bill Maibauer

EQUAL OPPORTUNITY EMPLOYER

5 October, 1977

Winder-Banida Water and Sewer District
Preston, Idaho 83263

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 13-7208. 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 either install and maintain a measuring device at your point of diversion or to provide the Department a certified measurement of the systems diversion capacity prior to submitting proof of beneficial use of water. We have enclosed a letter describing the different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Operations Bureau

BDF/cah

Enclosure

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 13-7208 IN THE)
NAME OF WINDER-BANIDA WATER & SEWER DISTRICT) ORDER OF REINSTATEMENT

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before September 1, 1982; and,

WHEREAS, the Department has notified the permit holder by certified mail that proof was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, the Department has notified the permit holder that the permit has lapsed for failure of the permit holder to submit proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on September 13, 1982;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 13-7208 be REINSTATED and the priority advanced to August 6, 1977.

Dated this 8th day of October, 1982.

L. Glen Saxton

L. GLEN SAXTON

Chief, Operations Bureau

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF REMOVAL OF THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 13-7208

ORDER

WHEREAS, it has been determined by the Department of Water Resources that a measuring device is not required at this time for a determination of the quantity of water appropriated under said permit;

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works, be and is, REMOVED from said permit.

Dated this 28 th day of August, 1978.

L. Glen Saxton
L. GLEN SAXTON

Chief, Operations Bureau

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

(Late Proof)

License of Water Right No. 13-7208 Priority August 6, 1977 Amount 0.13 cfs

THIS IS TO CERTIFY, that Winder-Banida Water & Sewer Dist.
of Preston, Idaho, has complied with the terms and conditions of Permit
No. 13-7208 issued pursuant to Application for Permit dated July 25, 1977,
and has submitted proof to the Department of Water Resources on September 13, 1982,
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 0.13 cfs of water from a spring,
tributary to sinks, 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
Domestic (26 Units)	from <u>January 1</u> to <u>December 31</u>	at <u>0.13</u> cfs and	<u>31.2</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 0.13 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
31.2 acre feet per year, said waters to be diverted within the SE1/4 SE1/4 Section 32,
Twp 13S, Rge 39E in the County of Franklin

Description and location of place of use:

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
14S	39E	6									X		X	X		X	X	X	
		7					X	X											

Total number of acres irrigated _____

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.

P/U also known as Village of Banida.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 28TH day of AUGUST, 19 86.

Acting for the Director

Norm Cepung

John
6/5



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

JOHN V. EVANS
Governor

A. KENNETH DUMM
Director

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

February 11, 1982

Dear Water user:

The enclosed Order removes the measuring device requirement as a condition of approval from your permit.

If you have already installed the measuring device, the field examination can be more quickly conducted by the Department's field examiner. You will also derive benefit from water management information which may be obtained from the installed meter.

If you have questions regarding this matter, please contact this office or one of our regional offices.

Sincerely,

David R. Tuthill Jr.

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

DRT:jg

Enclosure

NORTHERN REGION OFFICE
Route #5, Box 203, Government Way
Coeur d'Alene, Idaho 83814
Telephone 667-6484

SOUTHERN REGION OFFICE
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301
Telephone 734-3578

EASTERN REGION OFFICE
150 Shoup Avenue
Idaho Falls, Idaho 83401
Telephone 525-7161

WESTERN REGION OFFICE
92 South Cole Road
Boise, Idaho 83709
Telephone 334-2190

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138178

WINDER-BANIDA WATER & SEWER DIST.
RT. 3
PRESTON, ID 83263

JUNE 30, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 13-7208 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE SEPTEMBER 01, 1982. (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.

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

ENC: 1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

WINDER-BANIDA WATER & SEWER DIST.
RT. 3
PRESTON, ID 83263

SEPTEMBER 02, 1982

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A OF THE IDAHO CODE, PERMIT NO. 13-7208 HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER A NOTICE THAT YOU HAVE COMPLETED THE PROJECT BY THE DATE REQUIRED ON YOUR PERMIT, OR A REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR NOTICE TO YOU DATED JUNE 30, 1982.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT THE STATEMENT OF BENEFICIAL USE POSTCARD OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED POSTCARD OR THE EXTENSION REQUEST MUST BE RECEIVED BY THIS OFFICE WITHIN SIXTY DAYS OF THE DATE OF THIS LAPSE NOTICE OR THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

A STATEMENT OF BENEFICIAL USE POSTCARD AND A REQUEST FOR EXTENSION OF TIME FORM ARE ENCLOSED FOR YOUR USE. PLEASE NOTE THAT A FEE OF \$15.00 MUST ACCOMPANY AN EXTENSION OF TIME REQUEST.

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

ENCLOSURES

CERTIFICATION OF MAILING
I hereby certify that on 9/10/82
a true and correct copy of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.
Donna Chisum

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. 13-7208.

Name(s) of Permit Holder: Winder Canada Water & Sewer Dist

Post Office Address: Box 203

Preston, Idaho 83263 Tel. No. 952 1554

Source of Water: Two underground springs

Extent of Use: ☒ Domestic 28 (number of households)
☐ Stockwater (number and type of stock)
☐ Irrigation (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 been developed.

Sept 11, 82 Date Heber C. Swainston Sec. Signature of Permit Holder

CALCULATION OF NEW PRIORITY DATE

FROM: Rita Fleck

TO: File # 13-7208

DATE: Oct 8, 1982

Date Proof Received

Proof Due

Number of Days Proof Late

256
244
12

Priority Date

Number of Days Proof Late

New Priority Date

206
12
218 = Aug. 6, 1977

Remarks

2



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup
Idaho Falls, Idaho 83401
(208) 525-7161

October 26, 1982

Winder-Banida Water & Sewer District
Rt. #3, Box 203
Preston, ID 83263

RE: Permit No. 13-7208

Dear Sir:

We acknowledge receipt of your statement 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.

_____ A field examination of your system has been scheduled for _____.

If this time and date is not convenient for you, please contact this office as soon as possible.

 X A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office.

Sincerely,

COLLEEN WRAY
Adm. Secretary

Enclosure: Reinstatement Order

PERMIT N° 73-7208 Windsor-Bairds (Water & Sewer Distr.)
 (Name)
 EXAMINATION: DATE: 8-24-83 Accompanied by: Alvin Swanson

Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No.

Measuring Device Type: Bucket + Stopwatch
 Meter # _____ Annubar # _____ Size # _____

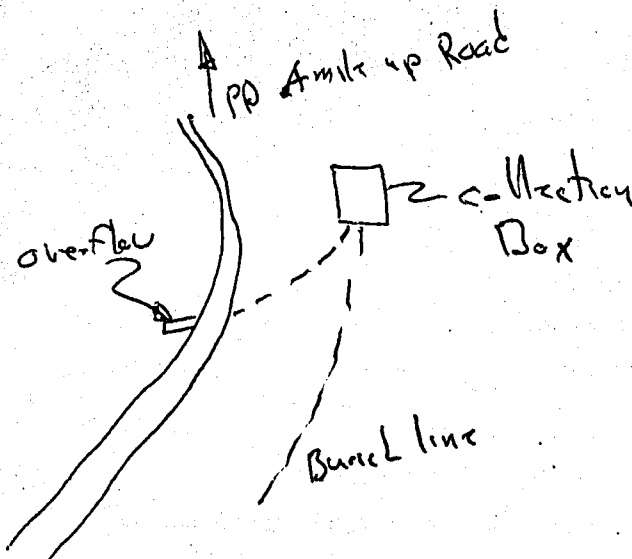
Remarks: Gravity Flow system

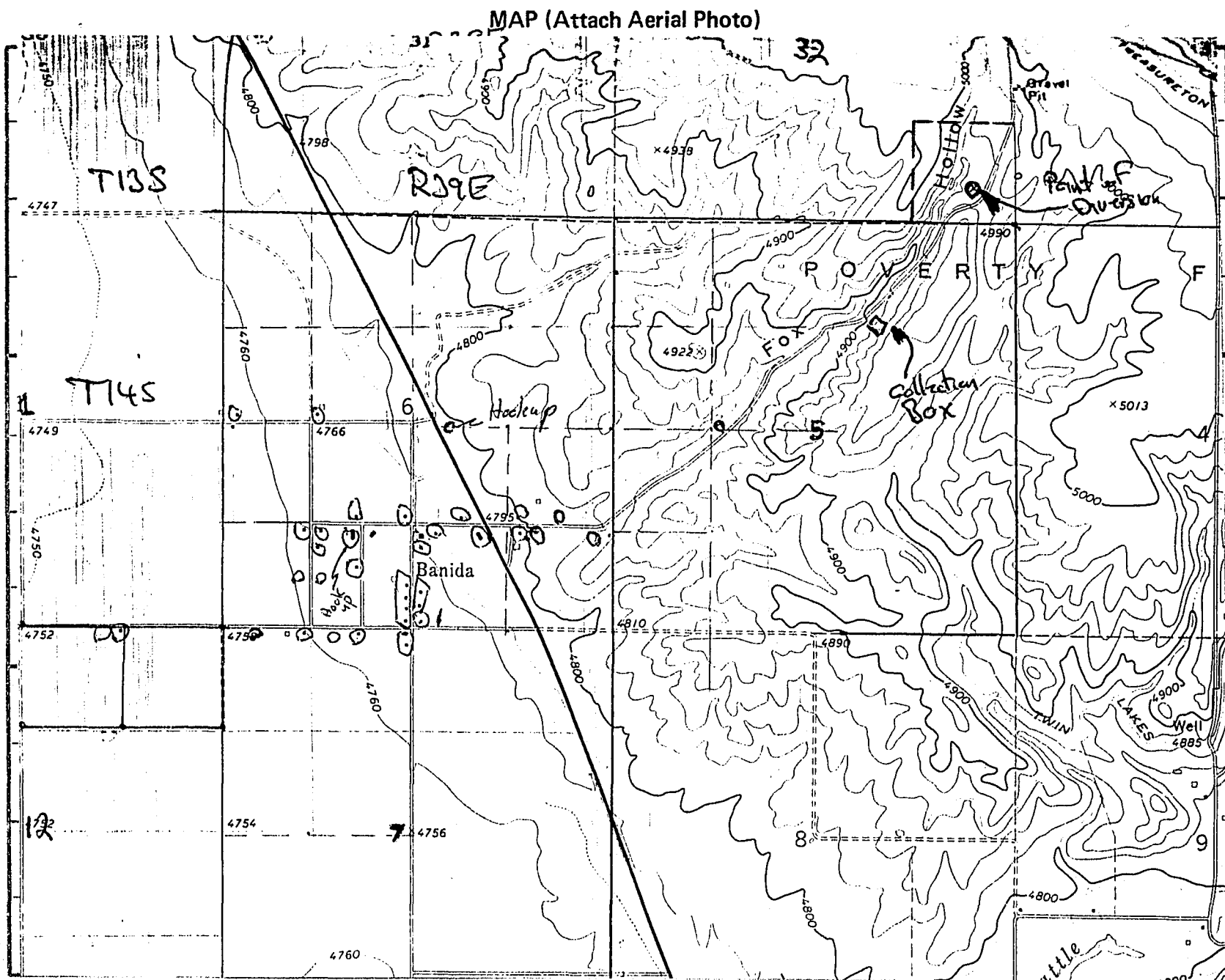
Measurement calculations:

1 gallon / sec measured at overflow
 at collection Box
 603 gpm

SCHEMATIC DIAGRAM OF SYSTEM

Mainline Diameter _____ Length _____

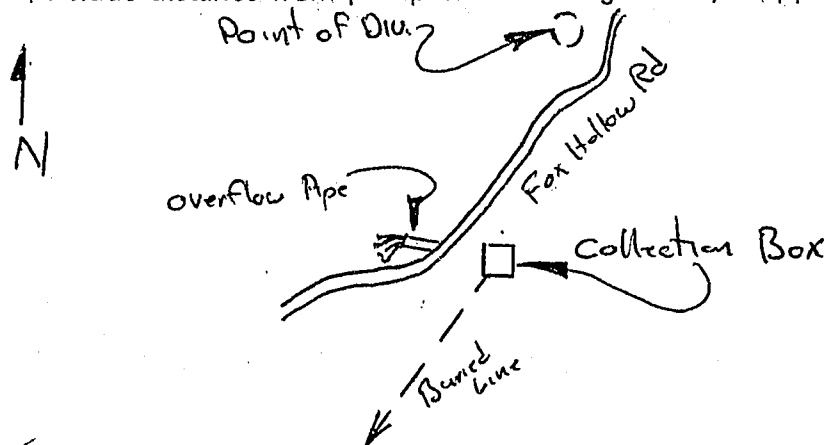




← 38E →

SCHEMATIC DIAGRAM OF SYSTEM

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



Point(s) of diversion: ✓ SE 1/4 SE 1/4 Sect. 32 T13S R39E

Place(s) of Use

Village of Banida (Domestic 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	39E	5								X									
		6							X	X	X		X	X	X	X	X	X	
		7					X	X											
14S	38E	12		X															
per quad above.																			

Recommended Amendments:

☐ Change P.D. as reflected above

☐ Change P.U. as reflected above

☐ Add P.D. as reflected above

☐ Add P.U. as reflected above

☒ None

☐ Other

P/U with box will not be licensed since they would require an amendment & there are more than enough homes in permitted P/U.

Examiner's Signature

H. Jones

Date 1-5-84

Checked by

K. C. Wilson

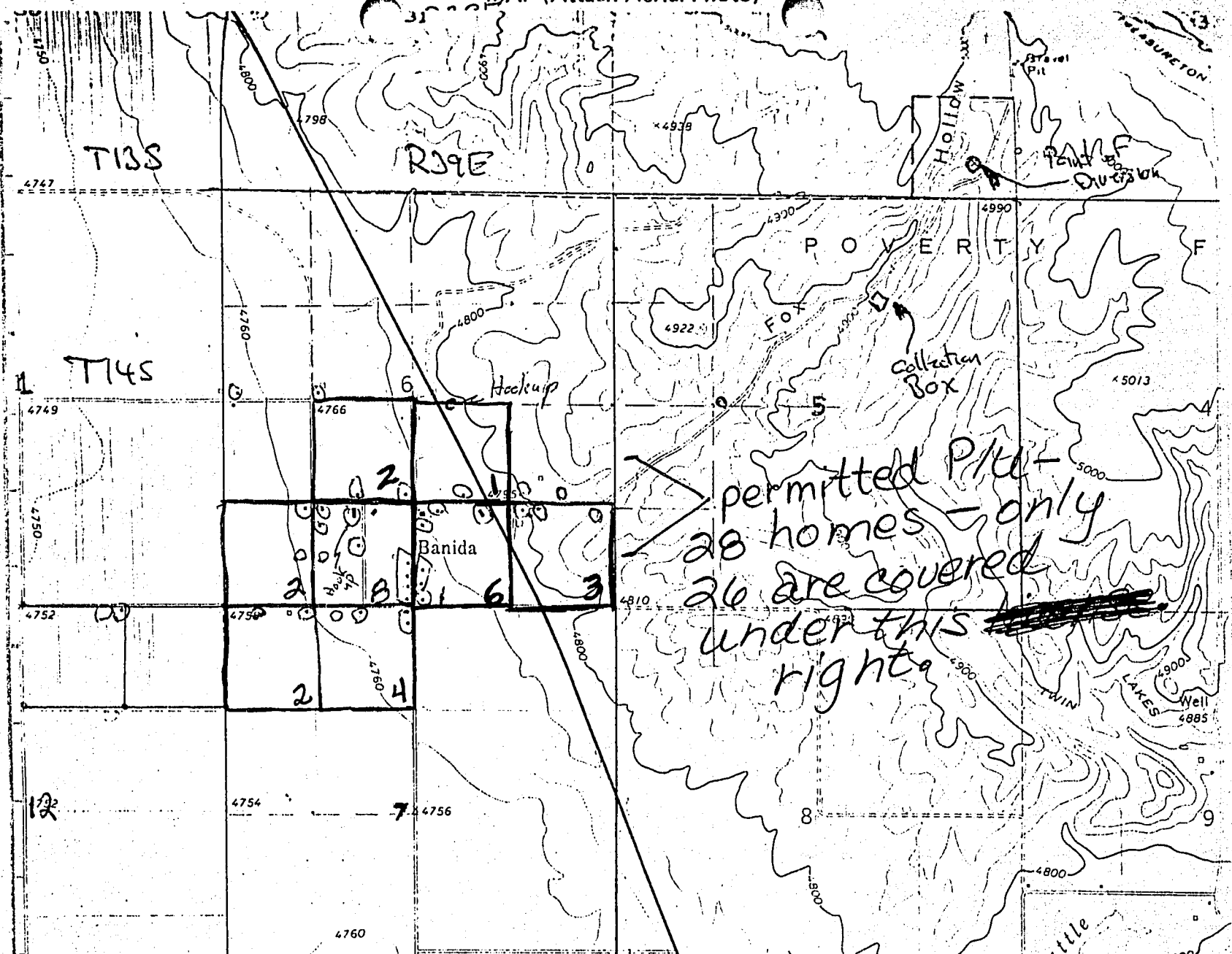
Date 12 Jan 1984

Approved by

K. W. Eker

Date 4-10-86

MAP (Attach Aerial Photo)



← 38E →

SCHEMATIC DIAGRAM OF SYSTEM



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 2, 1986

RE: Permit No. 13-7208

Winder-Banida Water & Sewer Dist.
Rt. 3, Box 203
Preston, ID 83263

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

MEMORANDUM

TO: File 13-7208

FROM: Jim Johnson *Jim*

DATE: July 25, 1986

RE: State Office Review for License Processing

Since the field exam showed that more homes were supplied water than can be allowed on the license (26 homes per item 8a(4) on the permit), notations were made on the field exam to show that only the homes within the legal description shown on the permit are to be included on the license. Also, since the permit limited the homes to 26, 2 homes within the permit legal description are not included in the license.

By selecting only the legal descriptions identified on the permit, a license can be issued without requiring an amendment of permit.



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

September 4, 1986

RE: Permit No. 13-7208

Winder-Banida Water & Sewer Dist.
Rt. 3, Box 203
Preston, ID 83263

Gentlemen:

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