

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. _____

13-7464

APPROVED

1. Name of applicant Burt or Ellen Wheatley Phone (208) 646-2445
Post office address 1598 E. 3200 S., Preston, ID 83263
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is _____ 1/4 of SW 1/4 of SE 1/4, Govt. Lot _____
Sec. 7 Township 16S Range 40E B.M. Franklin County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 2.52 for Irrig. purposes from 4-1 to 11-1 (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)
5. Total quantity to be appropriated is (a) 2.52 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Well and pump to mainline and sprinkler system
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
 - c. Proposed well diameter is 12 inches; proposed depth of well is 180 feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? No
7. Time required for the completion of the works and application of the water to the proposed beneficial use is 2 years (minimum 1 year).

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

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

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

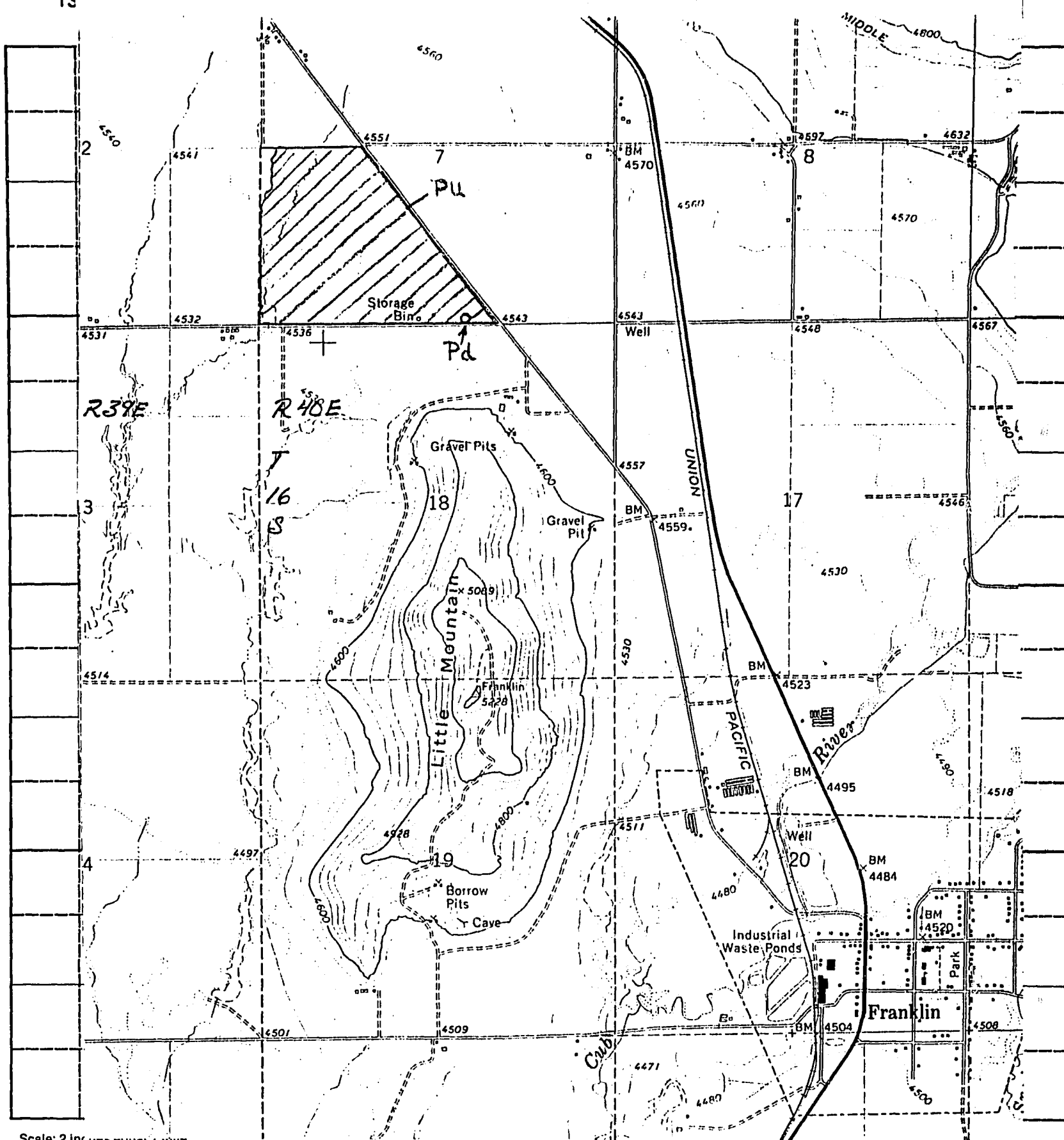
TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
16S	40E	7									21	28	26	39			12		126

Total number of acres to be irrigated 126.00

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

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

12. Remarks: _____



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.

Best Wheatley
 Ellen B. Wheatley (Applicant)

Assisted by DMB

Proposed Priority 4/25/89

Received by OW Date 4-25-89 Time 1:30p Preliminary check by AMS

Fee \$ 85⁰⁰ Receipted by HWS # E007679 Date 5-2-89
6-1-89

Publication prepared by AB Date 5-24-89 Published in Prosser Citizen

Publication approved OW Date 7-07-89

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. 13-7464, 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 August 1, 19 91.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

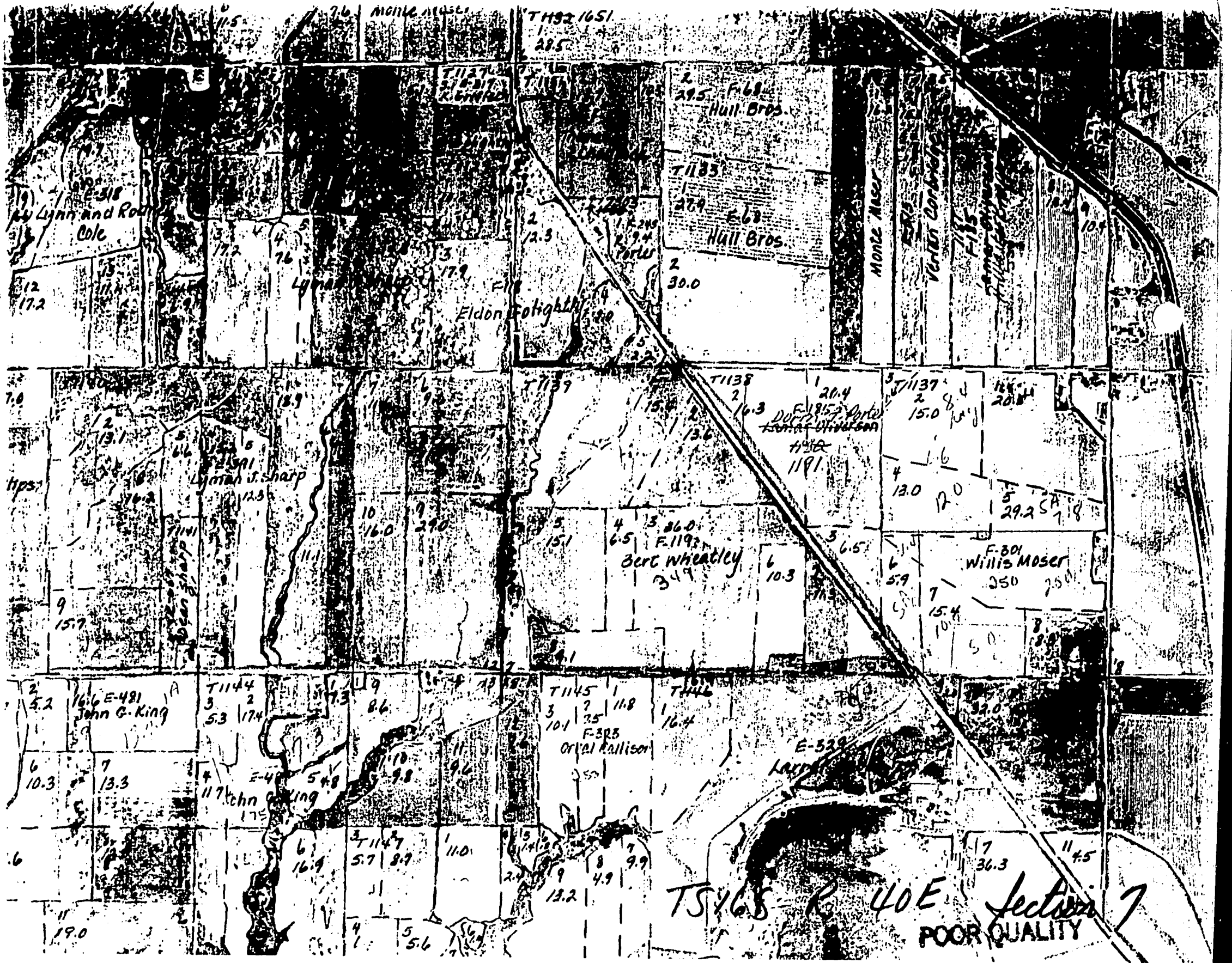
e. Other: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 20th day of July, 1989.

J. Glen Saxton



1675

JUL 1 1989

No 2759

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

I, Walter 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

May 31, 1989, and ending
with the issue of June 7, 1989.

Fee \$ 42.00

Subscribed and sworn to before me this 8th day
of June, 1989.

Ken J. All
Notary Public, Residing at Preston, Idaho
My Commission Expires June 7, 1990

NOTICE OF APPLICATION
FOR WATER RIGHT

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

13-07462
S & F POWER CO.
550 LINDEN DR.
IDAHO FALLS, ID 83401
Source: BEAR RIVER
Diversion Pt: SWNE Sec 16 T 14S R 40E
Use: POWER (1440,000 CFS)
Date Filed: 2/16/1989
In: T14S R40E S16 SWNE

13-07464
WHEATLEY, BERT
WHEATLEY, ELLEN
1598 E. 3200 S.
PRESTON, ID 83263
Source: GROUNDWATER
Diversion Pt: SWSE Sec 7 T 16S R 40E
Use: IRRIGATION (2,520 CFS)
Date Filed: 4/25/1989
In: T16S R40E S07 NESW NWSW SWSW SESW SWSE
126.0 ACRES TOTAL
The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83402 on or before JUNE 19, 1989.
R. KEITH HIGGINSON, Director
Legal No. 2759 -37L- Publish May 31, June 7, 1989.

RECEIVED

JUL - 5 1989

Department of Water Resources
Eastern District Office

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83402 on or before JUNE 19, 1989.

R. KEITH HIGGINSON, Director

Published 6/01/1989 & 6/08/1989

13-07464

WHEATLEY, BERT
WHEATLEY, ELLEN
1598 E. 3200 S.
PRESTON, ID 83263

Source: GROUNDWATER

Diversion Pt: SWSE Sec 7 T 16S R 40E

Use: IRRIGATION (2.520 CFS)

Date Filed: 4/25/1989

In: T16S R40E S07

NESW
SWSE

NWSW

SWSW

SESW

126.0 ACRES TOTAL

NOTICE OF APPLICATION FOR WATER RIGHT

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

MAY 24, 1989

THE PRESTON CITIZEN
P.O. BOX 472
PRESTON, ID 83263

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JUNE 19, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

June 1, 1989

Bert Wheatley
1598 E. 3200 S.
Preston, ID 83263

RE: Application for Permit No. 13-7464

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Preston Citizen. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

Form 235-1

3/89

Drilling Permit No. 13-89-E-007
Water Permit No. 13-01464 - Apply
Injection Permit No. _____

Expedite

State of Idaho
Department of Water Resources

Expedite

RECEIVED

JUL - 3 1989

Department of Water Resources
Eastern District Office

DRILLING PERMIT

1. Applicant Bert or Ellen Wheatley
2. Address 1598 E. 3200 S. Preston, ID 83263
Telephone 646-2445
☒ Well Owner ☐ Well Operator ☐ Other, specify _____
3. Proposed well location SW 1/4 SE 1/4, or Gov't lot No. _____,
Sec. 7, Twp. 16S, Rge. 40E, County Franklin,
Lot, block and subdivision _____
4. Proposed use of well: (Check all that apply)
☐ Domestic ☐ Stockwater ☐ Monitoring
No. of households _____ No. of livestock _____
☒ Irrigation ☐ Industrial ☐ Municipal
☐ Injection ☐ Other, Specify _____
5. Well construction information:
☒ New well ☐ Deepen ☐ Replace
Proposed surface diameter 12 Maximum depth 180'
Anticipated bottom hole temperature:
☒ 85°F or less (Cold water well)
☐ 85°F to 212°F (Low temp. geothermal well)
☐ 212°F or more (Geothermal well)
6. Anticipated construction start date ASAP
7. Well Driller (if known) El Ray Westlake Drilling
Address 184 N 7th St Montpelier Idaho
8. Applicant's signature Bert & Ellen Wheatley
Title Land owner
Date June 30 - 1989

\$100 Fee

ACTION OF DEPARTMENT OF WATER RESOURCES

This Permit is Approved.

If approved, this permit authorizes the construction of a well subject to the following conditions:

GENERAL CONDITIONS

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

SPECIFIC CONDITIONS

Dated this 3rd day of July, 1989.

Signed

Title

Randy J. Carbo
REGIONAL MANAGER

Received by AWJ Fee 100⁰⁰ Date 7-3-89

Receipt No. E009384 Construction start extension to _____

Extension approved by _____

ADDENDUM TO DRILLING PERMIT:

1. APPLICATIONS, AS NECESSARY, ARE ON FILE SEEKING AUTHORIZATION TO USE THE WELL FOR THE PURPOSE FOR WHICH IT IS BEING DRILLED
2. THERE ARE NO APPARENT REASONS THAT THE PENDING APPLICATIONS WILL NOT BE APPROVED AUTHORIZING USE OF THE WELL.
3. THE APPLICANT HAS REQUESTED BY LETTER THROUGH HIS AGENT THAT EXPIDITED APPROVAL IS NEEDED FOR IMMEDIATE CONSTRUCTION.
4. THE DRILLING PERMIT IS CONDITIONED TO SHOW THAT THERE IS NO AUTHORIZATION FOR DIVERSION AND USE OF WATER UNTIL THE WATER RIGHT APPLICATION IS APPROVED.
5. THE APPLICANT BY ACCEPTING THIS DRILLING PERMIT AND COMMENCES CONSTRUCTION ACKNOWLEDGES THAT HE ACCEPTS ALL RISK THAT THE WELL MAY NOT BE APPROVED FOR USE.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 334-7900
July 20, 1989

BERT WHEATLEY
ELLEN WHEATLEY
1598 E. 3200 S.
PRESTON, ID 83263

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 13-07464

Dear Permit Holder:

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

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

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

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

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

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 13-07464)
IN THE NAME OF ELLEN WHEATLY)

ORDER OF
REINSTATEMENT

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before August 1, 1991; and

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder that the permit lapsed for failure of the permit holder to submit the proof of beneficial use; and,

WHEREAS, the Department received an incomplete proof of beneficial use on October 4, 1991; and,

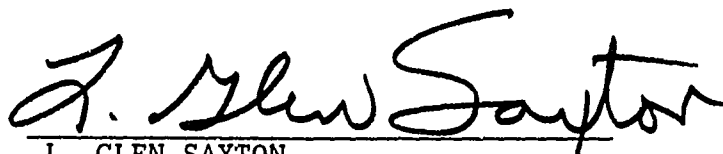
WHEREAS, the Department did not take action on the proof of beneficial use until November 14, 1991, and:

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 why the permit should be reinstated by submitting proof of beneficial use on December 23, 1991;

IT IS, THEREFORE, HEREBY ORDERED that permit No. 13-07464 be REINSTATED with an advance in priority to August 6, 1989.

Dated this 2nd day of January, 1992.


L. GLEN SAXTON
Chief, Water Allocation Bureau

138508
May 31, 1991

BERT WHEATLEY
ELLEN WHEATLEY
1598 E. 3200 S.
PRESTON, ID 83263

PROOF DUE NOTICE

RE: PERMIT NO. 13-07464

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before August 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

August 6, 1991

BERT WHEATLEY
ELLEN WHEATLEY
1598 E. 3200 S.
PRESTON, ID 83263

LAPSE NOTICE

RE: PERMIT NO. 13-07464

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated May 31, 1991. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:rf

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 8-9-91
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

Preston Idaho
Sept 2 1991

Dept of Water Res
Mr L Glen Saxton

Dear Sir

we irrigated from this well
in 1990 & also this year
in June after the spring
Rain quite hard an outfit stopped
& wanted to test this well
& I told them to go ahead
they were in here all after
noon & said they would send
me the results of the test
I presumed it was one of
your testers I never have
Gotten a report or a bill for
the test & or make it was
a Federal outfit

anyway if it still has to
be checked send some one
around & we will go with
them to Run The Pump

Sincerely
Bert Wheatly

Form 235-1
9/89

Drilling Permit No. C 3-90-E-004
Water Right Permit No. 13-74617
Injection Permit No. _____

MAR - 1 1990

Department of Water Resources
Eastern District Office

DRILLING PERMIT

well was drilled 225 feet in 1977 in 1980 it was drilled to 325 feet, still plenty water but State of Idaho Department of Water Resources to much sand

1. Applicant Bert & Ellen Wheatley
2. Mailing Address 1598 East 3200 South
Preston Idaho Telephone 646 2445
☒ Well Owner () Well Operator () Other, specify Deepening old well at present to much sand
3. Proposed well location SW 1/4 SW 1/4, or Gov't lot No. _____
Sec. 7, Twp. 16 S, Rge. 40 East, County Franklin
Street Address of Well Site 1598 East 3200 South Preston Idaho
Lot, block and subdivision _____
4. Proposed use of well:
() Single family or stockwater use (less than 13,000 gallons per day)
☒ Irrigation (more than 1/2 acre)
() Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____
() Other (describe fully) _____
5. Well construction information:
A. () New well ☒ Deepen () Replace - See Condition 9.
B. Proposed surface diameter 12 in at present well is 325 ft deep will
Maximum depth _____
C. Anticipated bottom hole temperature: Go down to 9 hundred feet with a
8 in casing to see what we can find
☒ 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212°F or more (Geothermal well)
6. Construction Start Date _____
7. Anticipated Well Driller Eray McFarlane
NOTE: The actual well driller must be identified prior to drilling.
8. Applicant's signature Bert Wheatley Date Mar 21 1990
Title Farm owner
(Owner, Firm Representative, Other)

Not Certain on old Drilling Permit so am sending
**Fee is \$10 for single family domestic. Other uses may be up to \$100

ACTION OF DEPARTMENT OF WATER RESOURCES

This Permit is Approved Date 3-30-90

If approved, this permit authorizes the construction of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

H.C. Jones For Ron Carlson
Signature of Authorized Department Representative

Eastern Reg. Mgr.
Title

Receipt No. E012627 Received by HWS Fee 100.00 Date 3-30-1990
E012627

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension is good for 60 days beyond the above extension approval date.

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

AUG 24 1990

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

WR0734NP
No. 13-07464

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 11/14/91
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
		04/25/1989	IRRIGATION	04-01 11-01	2.52 CFS	
TOTAL DIVERSION:					2.52 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Other Rights: NONE

Conditions of Approval:

- 046 - Permit holder shall comply with the drilling permit requirements
- of Section 42-235, Idaho Code.
- 026 - Permit holder shall commence the excavation or construction of
- diverting works within one year of the date this permit is issued
- and shall proceed diligently until the project is complete.
- 01G - Prior to the diversion of water under this right a flow
- measurement port or other device as specified by the Department
- shall be installed to provide for the installation of measuring
- equipment and the determination of the rate of diversion by the
- Department.

Dates: App. Received: 04/25/1989 Priority Date: 04/25/1989
Proof Due Date: 08/01/1991 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 11/01/1991 User-ID: SKAGGS Subject: PERMIT STATUS
PROOF & EXT RECEIVED 10-04-91/KAREN PROCESSING

Audit: 11/14/91 GUSTAFSO



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 14, 1991

Bert and Ellen Wheatly
1598 East 3200 South
Preston, ID 83263

Re: Permit No. 13-07464

Dear Permit Holder:

Returned is your Proof of Beneficial Use form submitted to this office on October 7, 1991, indicating the total rate of water use to be 350 gallons per minute or .80 cfs.

When the total maximum rate of diversion is greater than 0.04 cfs, a license examination fee is required to be submitted with the proof. A license examination fee based on a rate of flow of .80 cfs. is \$100. Note the back of the enclosed instruction sheet/fee schedule. I would like to explain that the individuals who tested your well in June were not from our office. Therefore, for our purposes, it will still be necessary for you to submit the license exam fee. Since you have already submitted \$15, your balance is now \$85.

It will also be necessary for you to sign and date the proof of beneficial use before it can be accepted by this office.

Please return this form and fee to me within 30 days of the date of mailing. Upon receipt of the proof form and fee, we will continue processing your proof by notifying the region that a field exam is needed.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Karen L. Gustafson
Secretary/Records Manager

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 16, 1991

Bert and Ellen Wheatly
1598 East 3200 South
Preston, ID 83263

Re: Permit No. 13-07464

Dear Mr. and Mrs. Wheatly:

On November 14, 1991, I returned the proof of beneficial use that you had submitted to this office. It did not have the appropriate fee attached, nor did it have your signature. At that time I asked that you return the corrected proof within 30 days of the date of the letter.

Since you have failed to do so, the Department is proceeding with the process to void your permit. Your permit has already lapsed and is of no force or effect.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Karen L. Gustafson".

Karen L. Gustafson
Secretary/Records Manager

Form 217-
07/90

RECEIVED
OCT 04 1991

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only
Amt. of Fee \$ 15.00
Date 10-7-91
Receipt No. C021947
Received by CJS

85.00
12-23-91
C022758

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 13-07464 Telephone No. 646-2445
2. Name(s) of Permit Holder(s): Bert M & Ellen B Wheatley
3. Post Office Address: 1598 East 3200 South Preston Idaho
4. Source of Water: Well on under ground
 - a. If ground water, well driller's name: Eloay Westlake Date drilled: 1989
 - b. Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): 18 feet
water level
Pump Column down 220 feet
8-1/2"
5. Extent of Use:

Domestic _____ (No. of households)	Irrigation <u>X</u> (No. of acres)
Stockwater _____ (No. and type of stock)	Other <u>This Well was tested</u> <u>by Eloay Westlake father & he came up with</u> <u>the amount of 350 Gallons a minute</u>
6. Total rate and/or volume for which proof is submitted 1.8 cfs _____ acre/feet
7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device:	Required? <u>X</u> Yes ___ No	Installed? ___ Yes ___ No
OR		
Flow Measurement Port:	Required? <u>X</u> Yes ___ No	Installed? ___ Yes ___ No
8. Fee Enclosed: \$ _____ (See License Examination Fee Schedule)
9. Person to contact to accompany the Department representative during the field examination:

<u>my self or</u> <u>Seth Wheatley</u> Name	<u>646-2516</u> Telephone No.
<u>1438 E 3200 So Preston Idaho</u> Address	
10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

We have a plug for testing & also a Pressure Gauge
X Dec 10-91 X Bert Wheatley
Date Signature (and title if on behalf of a company or organization)

January 8, 1992

BERT WHEATLEY
ELLEN WHEATLEY
1598 E. 3200 S.
PRESTON ID 83263

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 13-07464

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

I note that the permit issued to you by the department requires the installation of a flow measurement port to allow the department to determine the rate of diversion. The proof which you submitted does not show that you have installed this equipment.

The installation of the flow measurement port must be complete by the time the department representative conducts the examination of your system unless the department has rescinded the requirement prior to the field examination. In some cases, the equipment requirement can be rescinded because the equipment cannot be physically installed, is not appropriate or can be accommodated with other measuring methods.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager