

FORM 202
2/96

RECEIVED

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NOV 06 1996

Ident. No. 15-7154

AUG 12 1996

STATE OF IDAHO
Department of Water Resources
DEPARTMENT OF WATER RESOURCES
Department of Water Resources
Eastern Region

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant FARRELL ATKINSON Phone (801) 863-8861 W
Mailing address P.O. Box 7A Malad, ID 83252 Phone (208) 766-4065 H
2. Source of water supply Ground water which is a tributary of _____
3. Location of point of diversion is Township 15 S Range 3 SE Sec. 14, in the NW 1/4, SW 1/4, SW 1/4, Govt. Lot _____, B.M., _____ County; additional points of diversion if any: _____
4. Water will be used for the following purposes:
- | | |
|--|--|
| Amount <u>1.28 cfs</u> for <u>Irrigation</u> | purposes from <u>4-15</u> to <u>10-15</u> (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) | |
| 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) 1.28 cfs and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source well + pump to sprinklers
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
- c. Proposed well diameter is 8 inches; proposed depth of well is 150 feet
- d. Is ground water with a temperature of greater than 85°F being sought? No
- e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 3 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	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S	3SE	14									4	37							41
		15													23				23

Total number of acres to be irrigated 64

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: _____

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

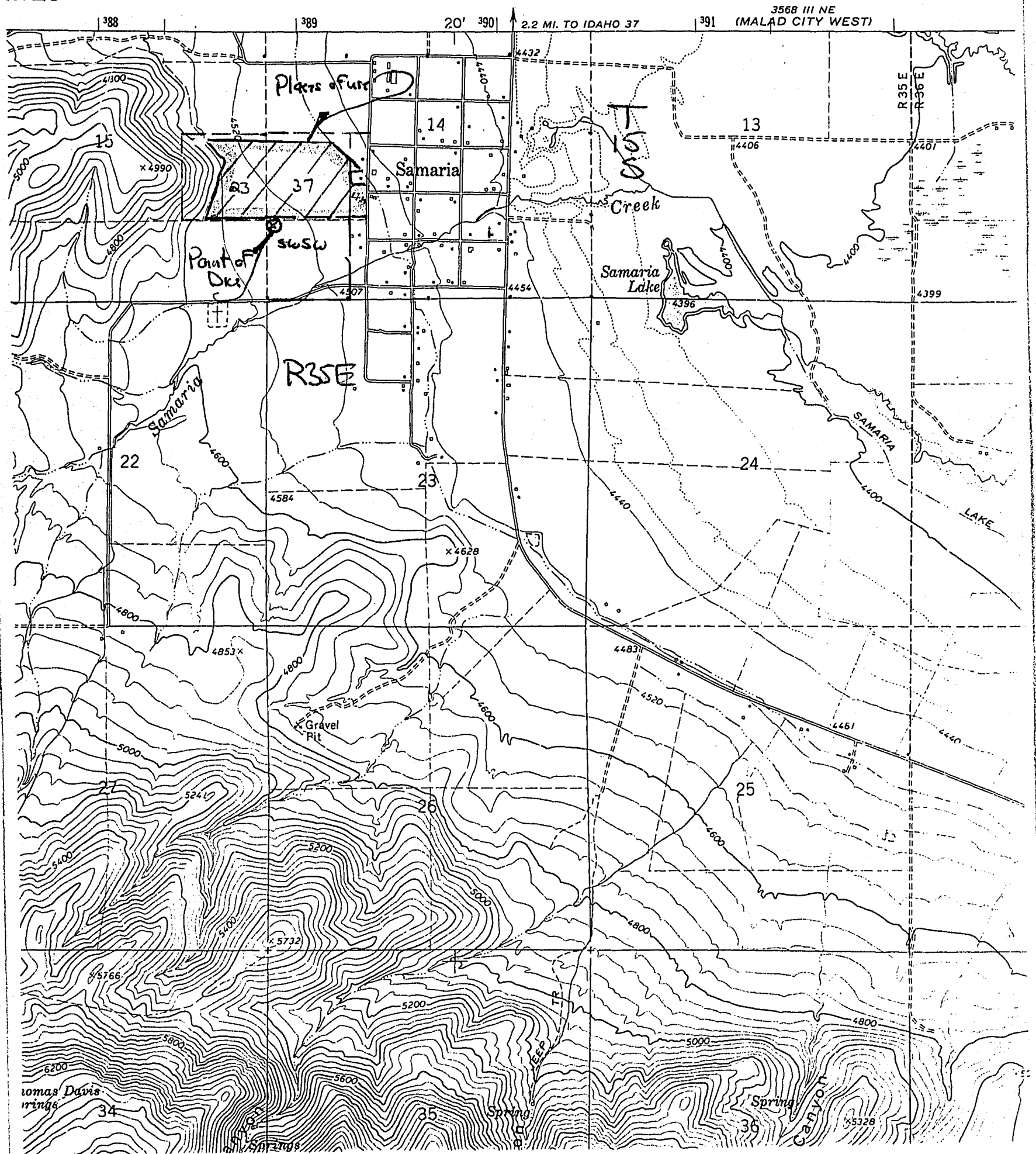
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Stanley D. Peterson
Signature of Applicant (and title, if applicable)

Received by HWT Date 8-12-96 Time 6:17 pm Preliminary check by _____
Fee \$ 120.00 Received by HWT # E022465 Date 8-12-96
Publication prepared by RB Date 9-5-96 Published in Idaho Enterprise
Publication approved _____ Date _____

15-07154

ES
INTERIOR
RVEY



15-07154

T1299

057

284

NHEL/NW

091

080

T764

078

030.3

032.4

094

005

T769

509

NHEL/NW

064.4

CRP

T770

284

086.5

NHEL/NW

CRP

022.3

NHEL/NW

CRP

T783

014

026

R3SE

028.8

SAMARIA TOWNSHIP

* Schedule C

64.3⁴ Acres Dryland

Section 14:

Lot 1-2

Block 19

Samaria Townsite

S-1/4 Lot 1 Lots 2 & 4

Block 18

Samaria Townsite

Note:

1 Acre Road lot included.

Other lots included in 39.3
Acres below.

A fraction of the NW 1/4 of the SW 1/4 commencing at the
corner of the NW 1/4 of the SW 1/4, thence east to the west
bank of the Samaria Irrigation Canal, thence southeasterly
along said canal 272 feet to a point 1095 feet n. l.
of the SE corner of the NW 1/4 of the SW 1/4 of Section
Township 15 South, Range 35 EBM, thence south 1095
feet, thence West 1320 feet, thence north 1320 feet to the
point of beginning. T 29 25 39.3 Acres

Section 15:

Commencing at the NE corner of the NE 1/4 of the SE 1/4
section 15, Township 15 South Range EBM, thence
south 1320 feet, thence West to the foothills, thence
northwesterly on a meandering line along the foothills to
the north line of the NE 1/4 of the SE 1/4, thence east to
the NE corner of NE SE to the point of beginning.
24.0 Acres

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 15-07154

Proposed Priority: August 12, 1996 Maximum Diversion Rate: 1.28 CFS

This is to certify, that **FARRELL ATKINSON**
PO BOX 7A
MALAD ID 83252

has applied for a permit to appropriate water from: **GROUNDWATER**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/15 to 10/15	1.28 CFS

LOCATION OF POINT(S) OF DIVERSION: SWSW , Sec. 14, Township 15S, Range 35E
ONEIDA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
15S	35E	14	NESW 4.0	NWSW 37.0		41.0
		15	NESE 23.0			23.0

Total number of acres irrigated: 64.0

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1996.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The right holder shall comply with Idaho well construction standards when constructing a well pursuant to this right.
7. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

PAGE 2

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 15-07154

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

20th day of November, 1996.

K. J. Dreher

Karl J. Dreher, Director

for



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 18, 1996

FARRELL ATKINSON
PO BOX 7A
MALAD ID 83252

RE: Notice of Application for Permit 15-07154

Dear Applicant:

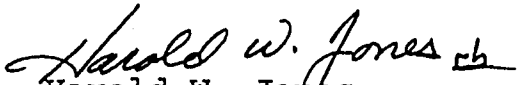
The Department of Water Resources acknowledges receipt of your water right application. This office is currently in the process of advertising the application in the Idaho Enterprise on September 5 & 12, 1996. The advertisement will be published for two consecutive weeks, and a period of ten days following 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 applications 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 Right Supervisor

HWJ/rb



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

AUGUST 18, 1996

Legal Notices Department
THE IDAHO ENTERPRISE
P.O. BOX 205
MALAD CITY, ID 83252

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 SEPTEMBER 23, 1996.

Yours truly,

Rita Bodell
Secretary

Encl.

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before SEPTEMBER 23, 1996.

KARL J. DREHER, Director

Published: 9/ 5/1996 & 9/12/1996

15-07154

ATKINSON, FARRELL
PO BOX 7A
MALAD, ID 83252

Source: GROUNDWATER

Diversion Pt: NWSWSW Sec 14 T 15S R 35E in ONEIDA County.

Use: IRRIGATION (1.280 CFS)
Total Diversion: (1.280 CFS)

Date Filed: 8/12/1996

In: ONEIDA County		
T15S R35E S14	NESW	NWSW
S15	NESE	

64.0 ACRES TOTAL

Nº 2236

AFFIDAVIT OF PUBLICATION

RECEIVED

OCT 15 1996

STATE OF IDAHO, } ss.

County of Oneida

Department of Water Resources
Eastern District Office

Donna Salnesen
being duly sworn,
deposes and says: That she is the Secretary of THE IDAHO ENTERPRISE, a weekly newspaper published at Malad, in the County of Oneida and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Malad; 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 September 5, 19 96, and ending with the issue of September 12, 19 96
Donna Salnesen

Subscribed and sworn to before me this 3 day of October, 19 96.

Lisa D. Lewis
Notary Public, Residing at Malad, Idaho

My Commission Expires Feb 2, 2002

NOTICE OF APPLICATION FOR WATER RIGHT

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

15-07154

ATKINSON, FARRELL

PO BOX 7A

MALAD, ID 83252

Source: GROUNDWATER

Diversion Pt: NWSWSW Sec 14 T

15S R.35E in ONEIDA County.

Use: IRRIGATION (1.280 CFS)

Total Diversion: (1.280 CFS)

Date Filed: 8/12/1996

In: ONEIDA County

T15S R35E S14 NESW NWSW

S15 NESE

64.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before SEPTEMBER 23, 1996.

KARL J. DREHER, Director
Published: 9/5/1996 & 9/12/1996

L. 2236 09/05-12/96 T2

RECEIVED

NOV 06 1996

Department of Water Resources



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 20, 1996

FARRELL ATKINSON
PO BOX 7A
MALAD ID 83252

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 15-07154

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "Conditions of Approval and Remarks" listing on the permit.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

If a well has not already been constructed you are required to obtain a "drilling permit" from the department. The right to drill a well is not a part of this permit to appropriate water.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosures

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE DATE BY)
WHICH PROOF OF BENEFICIAL USE MUST BE)
SUBMITTED FOR PERMIT NO. 15-07154 IN THE)
NAME OF FARRELL ATKINSON)
_____)

ORDER

WHEREAS, the Department of Water Resources (department) issued Water Right Permit No. 15-07154 (the permit) to Farrell Atkinson (the permit holder) on November 20, 1996; and

WHEREAS, the permit was issued with a condition of approval requiring that proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1996; and

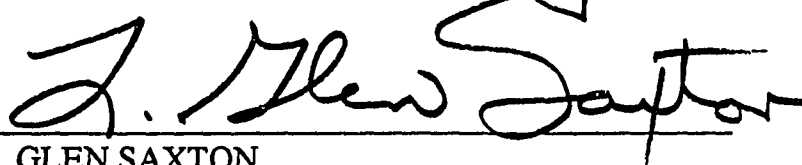
WHEREAS, it is impossible for the permit holder to have complied with the condition because the due date preceded the approval date for the permit; and

WHEREAS, the department should allow the permit holder until November 1, 1999, to submit proof of construction of works and application of water to beneficial use;

IT IS THEREFORE HEREBY ORDERED that the condition of approval establishing the date by which the holder of Permit No. 15-07154 must submit proof of construction of works and application of water to beneficial use is **CHANGED** to read as follows:

Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1999.

Dated this 15th day of May, 1997.


L. GLEN SAXTON
Chief, Water Allocation Bureau



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

May 15, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

FARRELL ATKINSON
PO BOX 7A
MALAD ID 83252

RE: Water Right No. 15-07154

Dear Mr. Atkinson:

I have enclosed an order changing the date that Proof of Beneficial use must be submitted for Water Right Permit 15-07154. Approximately 60 days prior to the date identified in the order, the department will send you a "Proof Due Notice" requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

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

Respectfully,

Shelley Walter Keen
Water Rights Supervisor

Enclosure

NOV 1 1999

FOR OFFICE USE ONLY
Amt. of Fee \$: 125.00
Receipt No. 047030
Receipt By: gm
Date Received: 11/1/99

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form 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, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 15-07154 Telephone No. 208 766 4065
2. Name(s) of Permit Holder(s): FARRELL ATKINSON
3. Mailing Address: 738 W HWY 38 - MALAD, ID 83252
4. Source of Water: WELL If GROUNDWATER (well), Date Drilled: mo. 06 / yr. 97
(LAVA)
a. Well Driller: MAVERICK-MIKE FRANSOM Drilling Permit Number: - -
b. OPTIONAL:
Pump Horsepower: Pressure (psi): Dynamic pumping level (ft):
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): Stockwater (No. and type of stock):
Irrigation (No. of acres): 64 Other:
6. Total rate of diversion and/or volume for which proof is submitted: 1.28 cfs OR acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?	Yes <u>X</u> <u>(or)</u> No <u>X</u> <u>REPORT TO STATE</u>
Has the measuring device been installed?	Yes <u> </u> or No <u>X</u>
Flow Measurement Port: Is a flow measurement port required?	Yes <u> </u> or No <u>X</u>
Has the measurement port been installed?	Yes <u> </u> or No <u> </u>
8. Fee Enclosed: \$ 125 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: FARRELL ATKINSON Telephone Number: 208 766 4065
Address: 738 W Hwy 38, MALAD, ID 83252
10. The information given on this form 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.

Signature of permit holder: Farrell A. Atkinson Date: 9/21/99
(include your title, if on behalf of company or organization)

August 31, 1999

FARRELL ATKINSON
PO BOX 7A
MALAD ID 83252

PROOF DUE NOTICE

RE: PERMIT NO. 15-07154

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 November 1, 1999. (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.

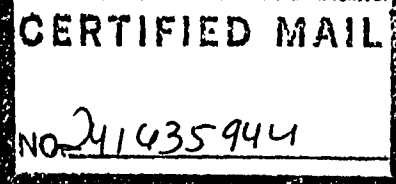
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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,

JULIE L. YARBROUGH
Senior Secretary

Enclosures





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

January 13, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

FARRELL ATKINSON
738 W HWY 38
MALAD ID 83252

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 15-07154

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **EASTERN** Regional Office of the department in Idaho Falls at (208) 525-7161.

Sincerely,

Kari Lynn Townsend
Secretary

c: IDWR - Regional Office

11/99

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT

To change the ownership of a permit

RECEIVED

OCT 25 2001

Department of Water Resources

For Office Use Only
\$25 filing fee
Receipt # E027209
Date 10-22-01

RECEIVED

OCT 22 2001

Department of Water Resources
Eastern Region

I, FARRELL ATKINSON, hereby assign to DELON ATKINSON
of, 5166 SO. 4600 W., MALAD, ID 83252 208-766-2916
(Full Address) (Phone) 208-766-4065

All my right, title, and interest in and to Permit No. 15-07154 to
appropriate the public waters of the State of Idaho.

OR (for partial assignments)

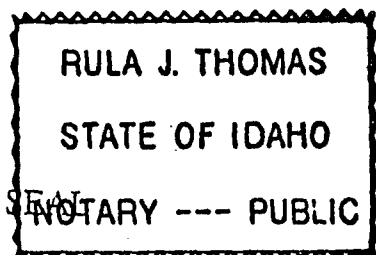
The following described portion of my right, title, and interest in and to for
Permit No. _____ to appropriate the public waters of the State of Idaho.
(Describe portion of the application for permit assigned, listing the number of acres in each 40 acre
subdivision, point of diversion location, and amount of the water in cubic feet per second.)

Made this 17th day of October, 2001.

Farrell Atkinson
Permit Holder(s)

State of Idaho)
County of Oneida)ss

On this 17th day of October, 2001, personally appeared before me the signer(s) of the above
instrument, who duly acknowledged to me that he (she) (they) executed the same.



Rula J. Thomas
Notary Public residing at
Malad, Idaho

My commission expires: 11-08-2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 26, 2001

DELON ATKINSON
5166 S 4600 W
MALAD ID 83252

RE: Change of Ownership for Water Right 15-7154

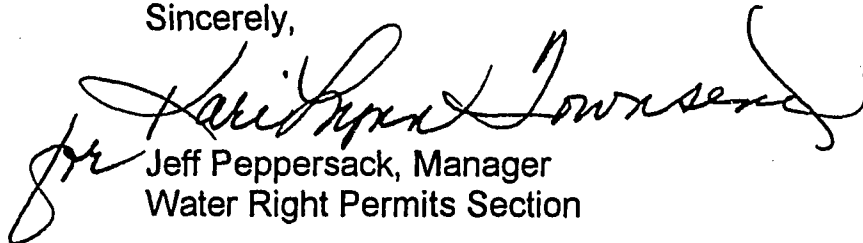
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 15-07154

RECEIVED

NOV - 8 2002

Department of Water Resources

Date of Priority: August 12, 1996

Maximum Diversion Rate: 1.19 CFS
Maximum Diversion Volume: 224.0 AF

Comes now **DELON ATKINSON**
5166 S 4600 W

MALAD ID 83252 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. 15-07154, and requests that the permit be changed as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	1.19 CFS	224.0 AF

LOCATION OF POINT OF DIVERSION:GROUND WATER SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 14, Twp 15S, Rge 35E, B.M., ONEIDA CountyPLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S 35E 14									4.0	37.0							41.0
15S 35E 15													23.0				23.0

Total Acres: 64

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 29 day of Oct, 2002.

Delon Atkinson
(Signature)

Page 2

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 15-07154

FOR DEPARTMENT USE ONLY

Preliminary check by EW Fee = \$50.00 Received by PMG #C065698 Date 11-8-02

ACTION OF THE DEPARTMENT OF WATER RESOURCES

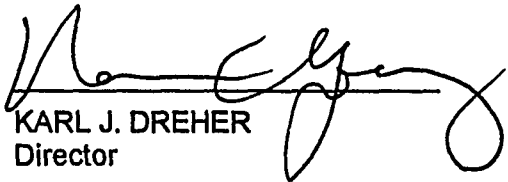
I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 15-07154 with the following:

CONDITIONS OF APPROVAL

1. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Witness my hand this 15TH day of NOVEMBER, 2002.

Acting for


KARL J. DREHER
Director

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 15-07154

Priority: August 12, 1996

Maximum Diversion Rate: 1.19 CFS
Maximum Diversion Volume: 224.0 AF

It is hereby certified that DELON ATKINSON
5166 S 4600 W
MALAD ID 83252 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated August 12, 1996; and has
submitted Proof of Beneficial Use on November 01, 1999. An examination indicates that the works have
a diversion capacity of 1.19 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/01 to 10/31	1.19 CFS	224.0 AF

LOCATION OF POINT OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 14, Twp 15S, Rge 35E, B.M., ONEIDA County

PLACE OF USE: IRRIGATION

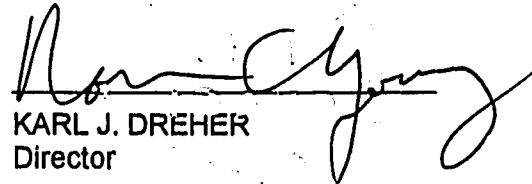
Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S 35E 14									4.0	37.0							41.0
15S 35E 15													23.0				23.0
Total Acres: 64																	

CONDITIONS OF APPROVAL

1. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 13TH day of NOVEMBER, 2002.

Acting for 
KARL J. DREHER
Director

RECEIVED
SEP 30 2002
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 15-07154

1. Owner: Delon & Farrell Atkinson Phone No. (208) 766-4065

Current Address: 783 W Hwy 38, Malad City, Id 83252

2. Accompanied by: Delon & Farrell Atkinson EXAM DATE: 9/9/2002

Address: 5166 S 4600 W Malad City Id Phone No. _____

Relationship to Permit Holder: Permit holder

3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

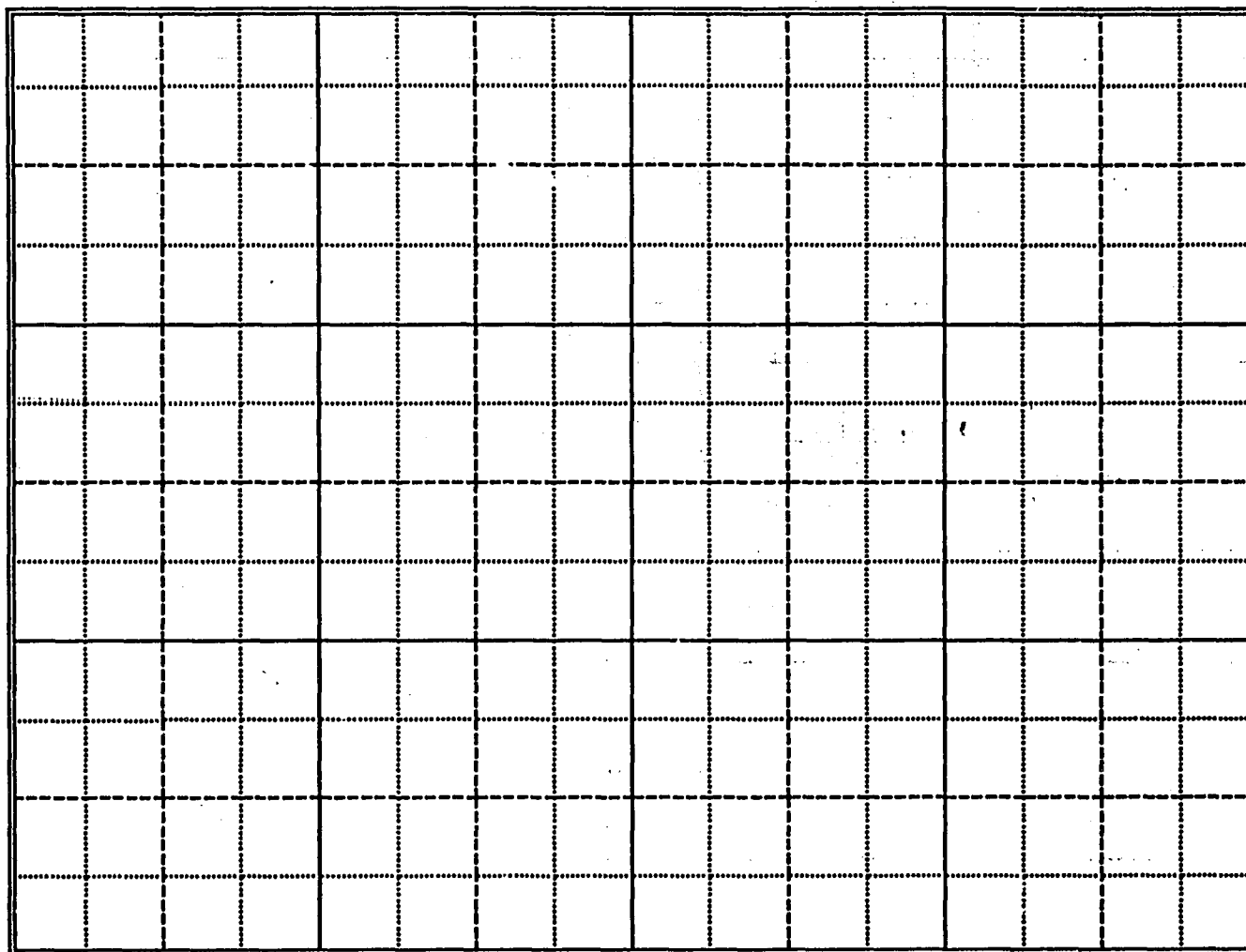
[illegible]

2. Place(s) of Use:

Indicate Method of Determination

[illegible]

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate well size/ditch size/pipe I.d. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identifier No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
GR Site # A 0010142	Unknown	50	UNKNOWN	UNKNOWN	6"

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Flowmeter	Sonic	Fuji				

2. Measurements: $od = 5.025"$ thickness = $0.069"$ (#1) Top line 31 sprinklers
 5/8" 4" nozzles Readings less 1 sprinkler end (#2) Middle 30 "
 line (#3) Bottom 29 "

E. NARRATIVE/REMARKS/COMMENTS

Submersible pump & motor to mainline to 3 1/4 mile wheel lines
upper wheel line has 31 sprinklers, middle wheel line has 30 sprinklers,
and lower wheel line has 29 sprinklers. Mainline ran uphill.
All flow measurements were made on the wheel line and did not
measure the first sprinkler on each wheel line.

Note: Line #1 Flow measured for 30 sprinklers = 0.3309 cfs
(Top) $0.3309 \text{ cfs} / 30 = 0.011 \text{ cfs/sprinkler (4.95 gpm/nozzle)}$

Total Max flow $Q_{\#1} = 0.3309 \text{ cfs} + 0.0110 \text{ cfs} = 0.3419 \text{ cfs}$

Line #2 Flow measured for 29 sprinklers = 0.3878 cfs
(Middle) $0.3878 \text{ cfs} / 29 = 0.0134 \text{ cfs/sprinkler (6.00 gpm/nozzle)}$

Total Max Flow $Q_{\#2} = 0.3878 \text{ cfs} + 0.0134 \text{ cfs} = 0.4012 \text{ cfs}$

Line #3 Flow measured for 28 sprinklers = 0.4341 cfs
(Bottom) $0.4341 \text{ cfs} / 28 = 0.0155 \text{ cfs/sprinkler (6.96 gpm/nozzle)}$

Total Max flow $Q_{\#3} = 0.4341 \text{ cfs} + 0.0155 \text{ cfs} = 0.4496 \text{ cfs}$

Total flow for all three lines

$Q_T = Q_{\#1} + Q_{\#2} + Q_{\#3} = 0.3419 \text{ cfs} + 0.4012 \text{ cfs} + 0.4496 \text{ cfs}$

$Q_{TOTAL} = 1.1927 \text{ cfs} = 1.19 \text{ cfs}$

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

F. FLOW CALCULATIONS

Measured Method:

Total flow = 1.19 cfs☒ Additional Computation Sheets Attached**G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 64 \text{ ac} (3.5) = 224.0$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.19 (214) 1.9835 = 505.1$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 224.0$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/1	10/31	1.19 cfs	224.0
Totals:			1.19 cfs	224.0

2. Recommended Amendments

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

I. AUTHENTICATIONField Examiner's Name KEITH C WILSON Date 9/9/2002

Reviewer _____ Date _____

SEAL

LOG NAME: 15-7154 #1

START: 09-09-2002 12:55
 END: 09-09-2002 13:00
 INTERVAL: 00:01:00

09-09-2002 12:55:00
 +2.524E+0 ft/s
 +1.475E+2 gal/m
 +3.288E-1 ft³/s
 +TOTAL 0000004 gal
 -TOTAL 0000000 gal
 NORMAL

09-09-2002 12:56:00
 +2.540E+0 ft/s
 +1.485E+2 gal/m
 +3.309E-1 ft³/s
 +TOTAL 0000007 gal
 -TOTAL 0000000 gal
 NORMAL

09-09-2002 12:57:00
 +2.520E+0 ft/s
 +1.473E+2 gal/m
 +3.282E-1 ft³/s
 +TOTAL 0000007 gal
 -TOTAL 0000000 gal
 NORMAL

09-09-2002 12:58:00
 +2.497E+0 ft/s
 +1.459E+2 gal/m
 +3.252E-1 ft³/s
 +TOTAL 0000007 gal
 -TOTAL 0000000 gal
 NORMAL

09-09-2002 12:59:00
 +2.482E+0 ft/s
 +1.451E+2 gal/m
 +3.233E-1 ft³/s
 +TOTAL 0000007 gal
 -TOTAL 0000000 gal
 NORMAL

09-09-2002 13:00:00
 +2.470E+0 ft/s
 +1.444E+2 gal/m
 +3.218E-1 ft³/s
 +TOTAL 0000007 gal
 -TOTAL 0000000 gal
 NORMAL

Line #1 (Top Line)

Q_{MAX}(30 sprinklers) = 0.3309 cfs
 Q_{AVG/NOZZLE} = 0.0110 cfs
 Q_{TOTAL FLOW #1} = 0.3309 + 0.0110
 Q_{#1} = 0.3409 cfs

LOG NAME: 15-7154 #2

START: 09-09-2002 13:15
 END: 09-09-2002 13:20
 INTERVAL: 00:01:00

09-09-2002 13:15:00
 +2.989E+0 ft/s
 +1.740E+2 gal/m
 +3.878E-1 ft³/s
 +TOTAL 0000000 gal
 -TOTAL 0000000 gal
 NORMAL

09-09-2002 13:16:00
 +2.832E+0 ft/s
 +1.649E+2 gal/m
 +3.675E-1 ft³/s
 +TOTAL 0000145 gal
 -TOTAL 0000000 gal
 NORMAL

09-09-2002 13:17:00
 +2.904E+0 ft/s
 +1.691E+2 gal/m
 +3.767E-1 ft³/s
 +TOTAL 0000315 gal
 -TOTAL 0000000 gal
 NORMAL

09-09-2002 13:18:00
 +2.919E+0 ft/s
 +1.699E+2 gal/m
 +3.787E-1 ft³/s
 +TOTAL 0000484 gal
 -TOTAL 0000000 gal
 NORMAL

09-09-2002 13:19:00
 +2.946E+0 ft/s
 +1.715E+2 gal/m
 +3.822E-1 ft³/s
 +TOTAL 0000653 gal
 -TOTAL 0000000 gal
 NORMAL

09-09-2002 13:20:00
 +2.871E+0 ft/s
 +1.671E+2 gal/m
 +3.725E-1 ft³/s
 +TOTAL 0000823 gal
 -TOTAL 0000000 gal
 NORMAL

Line #2 (Middle Line)

Q_{MAX}(29 sprinklers) = 0.3878 cfs
 Q_{AVG/NOZZLE} = 0.0134 cfs
 Q_{TOTAL FLOW #2} = 0.3878 + 0.0134
 Q_{#2} = 0.4012 cfs

LOG NAME: 15-7154 #3

START: 09-09-2002 13:36
 END: 09-09-2002 13:41
 INTERVAL: 00:01:00

09-09-2002 13:36:00
 +3.334E+0 ft/s
 +1.941E+2 gal/m
 +4.326E-1 ft³/s
 +TOTAL 0000000 gal
 -TOTAL 0000000 gal
 NORMAL

09-09-2002 13:37:00
 +3.337E+0 ft/s
 +1.943E+2 gal/m
 +4.329E-1 ft³/s
 +TOTAL 0000190 gal
 -TOTAL 0000000 gal
 NORMAL

09-09-2002 13:38:00
 +3.331E+0 ft/s
 +1.940E+2 gal/m
 +4.322E-1 ft³/s
 +TOTAL 0000384 gal
 -TOTAL 0000000 gal
 NORMAL

09-09-2002 13:39:00
 +3.309E+0 ft/s
 +1.927E+2 gal/m
 +4.293E-1 ft³/s
 +TOTAL 0000578 gal
 -TOTAL 0000000 gal
 NORMAL

09-09-2002 13:40:00
 +3.346E+0 ft/s
 +1.948E+2 gal/m
 +4.341E-1 ft³/s
 +TOTAL 0000771 gal
 -TOTAL 0000000 gal
 NORMAL

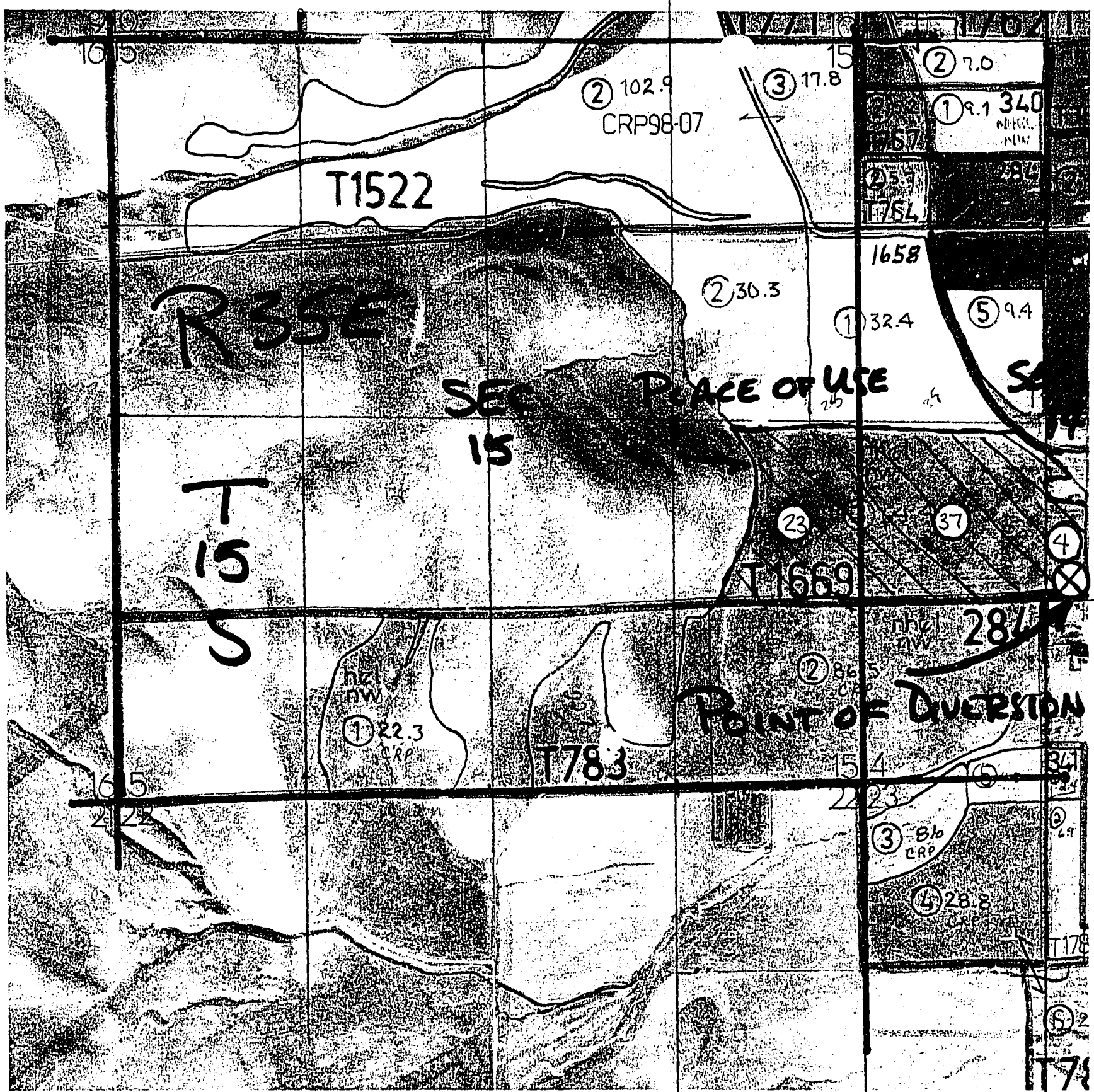
09-09-2002 13:41:00
 +3.267E+0 ft/s
 +1.902E+2 gal/m
 +4.239E-1 ft³/s
 +TOTAL 0000965 gal
 -TOTAL 0000000 gal
 NORMAL

Line #3 (Bottom Line)

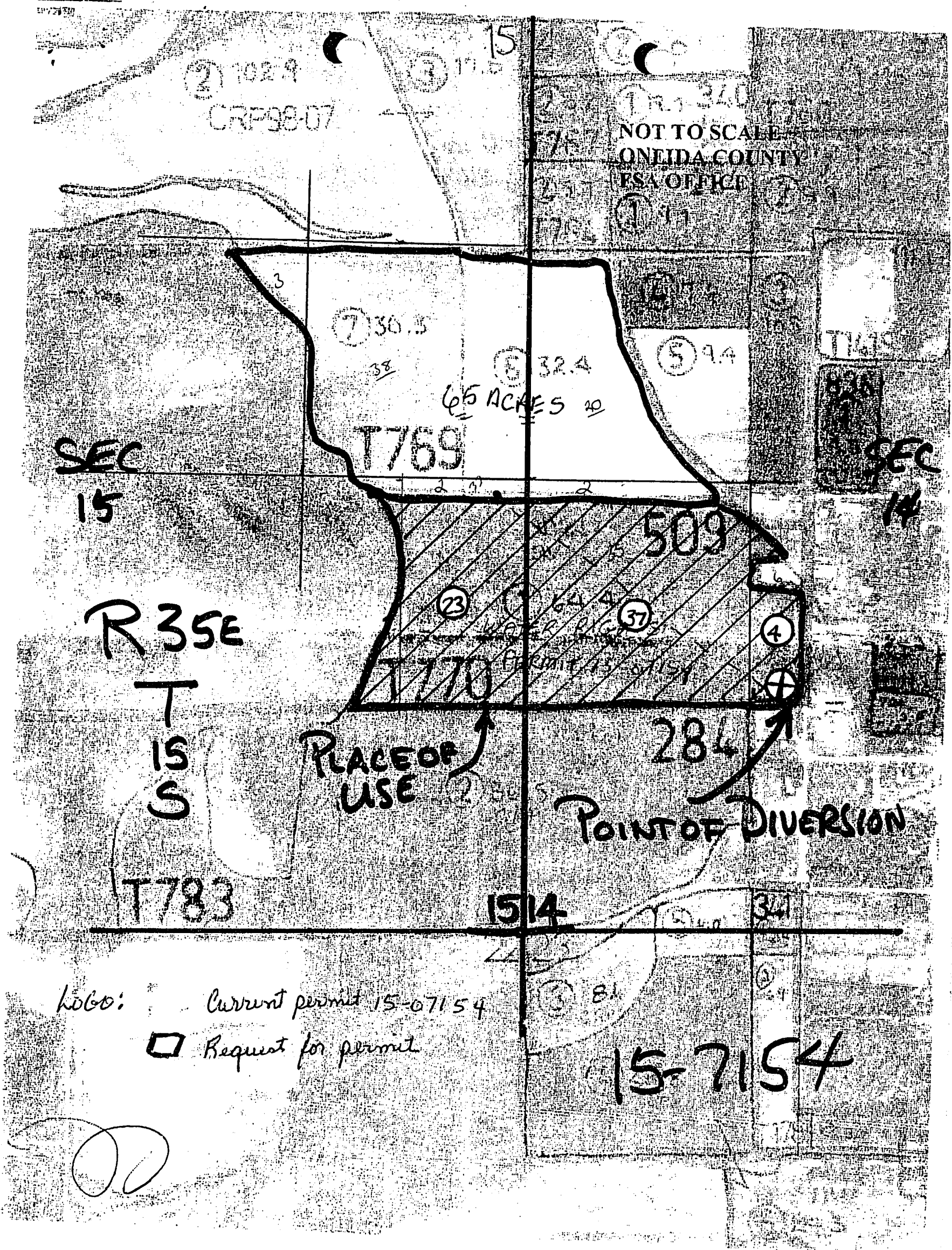
Q_{MAX}(28 sprinklers) = 0.4341 cfs
 Q_{AVG/NOZZLE} = 0.0155 cfs
 Q_{TOTAL FLOW #2} = 0.4341 + 0.0155
 Q_{#3} = 0.4496 cfs

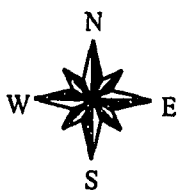
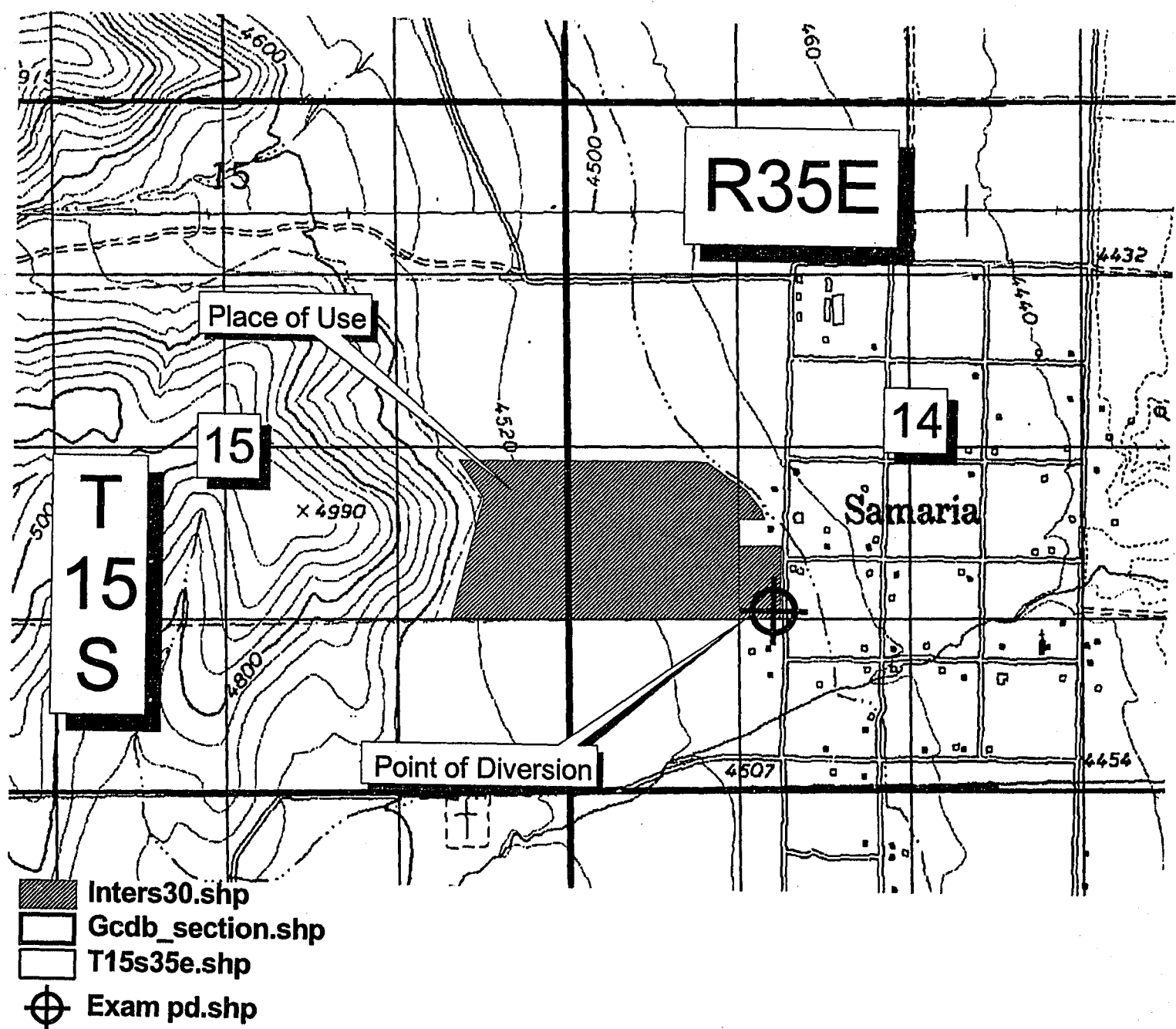
Q_{#1} + Q_{#2} + Q_{#3} = 1.19 cfs

15-07154



15-7154



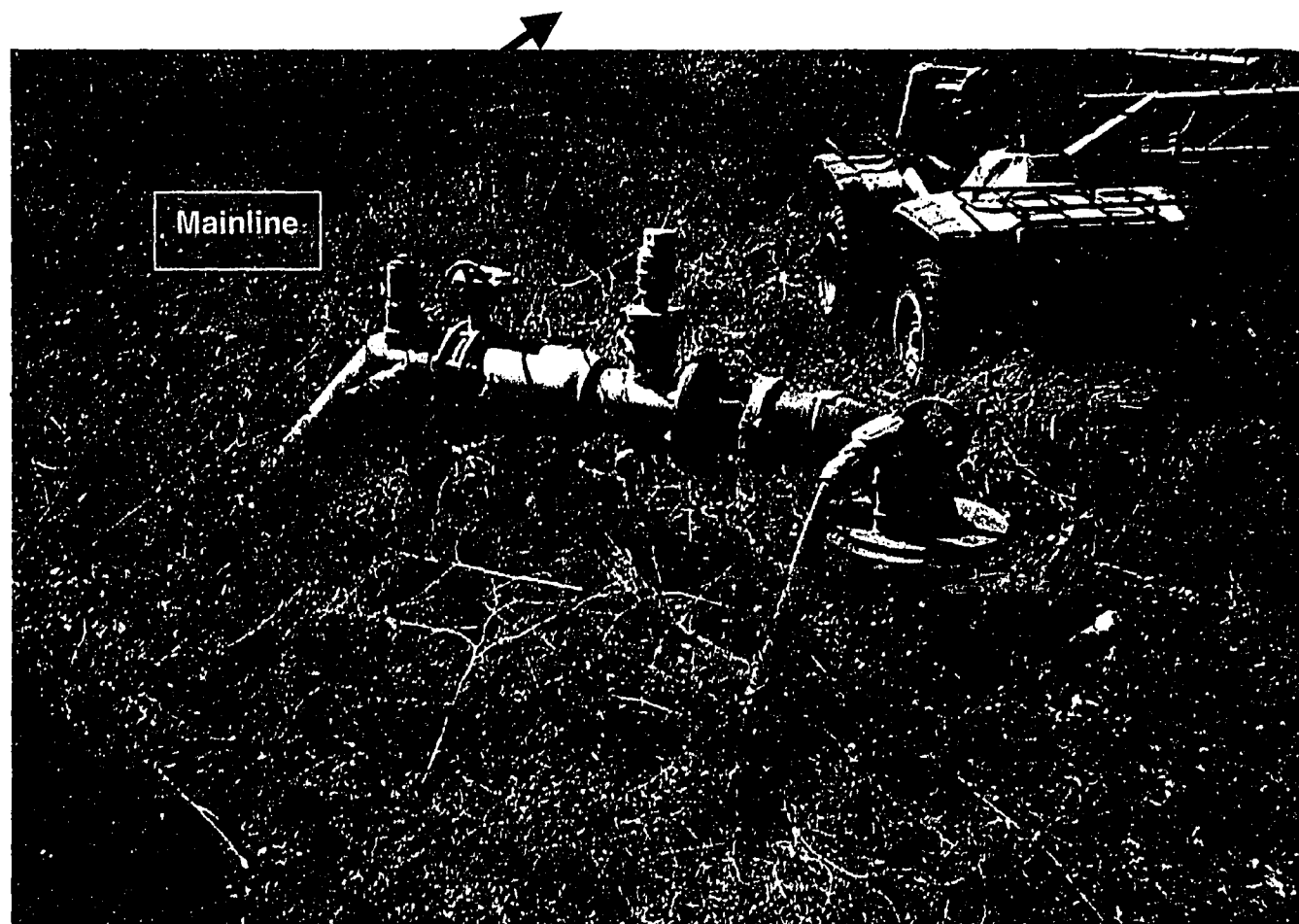


15-07154

RECEIVED

SEP 30 2002

Department of Water Resources



Point of Diversion

15-7154



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 11, 2002

DELON ATKINSON
5166 S 4600 W
MALAD ID 83252

RE: Water Right Permit No. 15-07154

Dear Permit Holder:

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

Point of Diversion

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 30 days.

If you have any questions, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosure

Cc: Farrell D. Atkinson
738 W. Hwy 38
Malad City, ID 83252

Comment Report

15-7154

1. kwilson 9/23/2002 Field Report Narrative

Comment: Submersible motor & pump to mainline to three 1/4 mile wheel lines.

Wheel line #1 (upper) had 31 sprinklers, Wheel line #2 (middle) had 30 sprinklers.

Wheel line #3 had 29 sprinklers. Mainline ran up hill. All measurements were made on each wheel line after the first sprinkler on the line. According to owner hp = 50 hp.

NOTE: Point of Diversion GPS Site Tag #A0010942.

2. kwalker 10/10/2002 Overlap Review

Comment: There is no water from Samaria Water & Irrigation Company rts. on this property per phone conversation with Farrell D. Atkinson on 10-09-02.

3. KTOWNSEN 1/13/2000 Proof of Beneficial Use Rcvd

Comment: Proof of Beneficial Use Rcvd

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 14, 2002

DELON ATKINSON
5166 S 4600 W
MALAD ID 83252

RE: License No. 15-7154 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a copy of the approved Application for Amendment.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

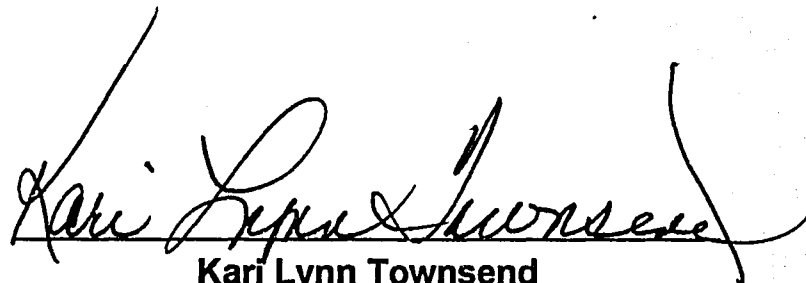
CERTIFICATE OF SERVICE

I hereby certify that on November 14, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

15-7154

**DELON ATKINSON
5166 S 4600 W
MALAD ID 83252**


**Kari Lynn Townsend
Secretary**