

November 20, 1998

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 18, 1998

Water right number: 35-08097

ELLIS KAY STANGER
BONNIE L STANGER
2818 VISTA DR
AMERICAN FALLS ID 83211

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

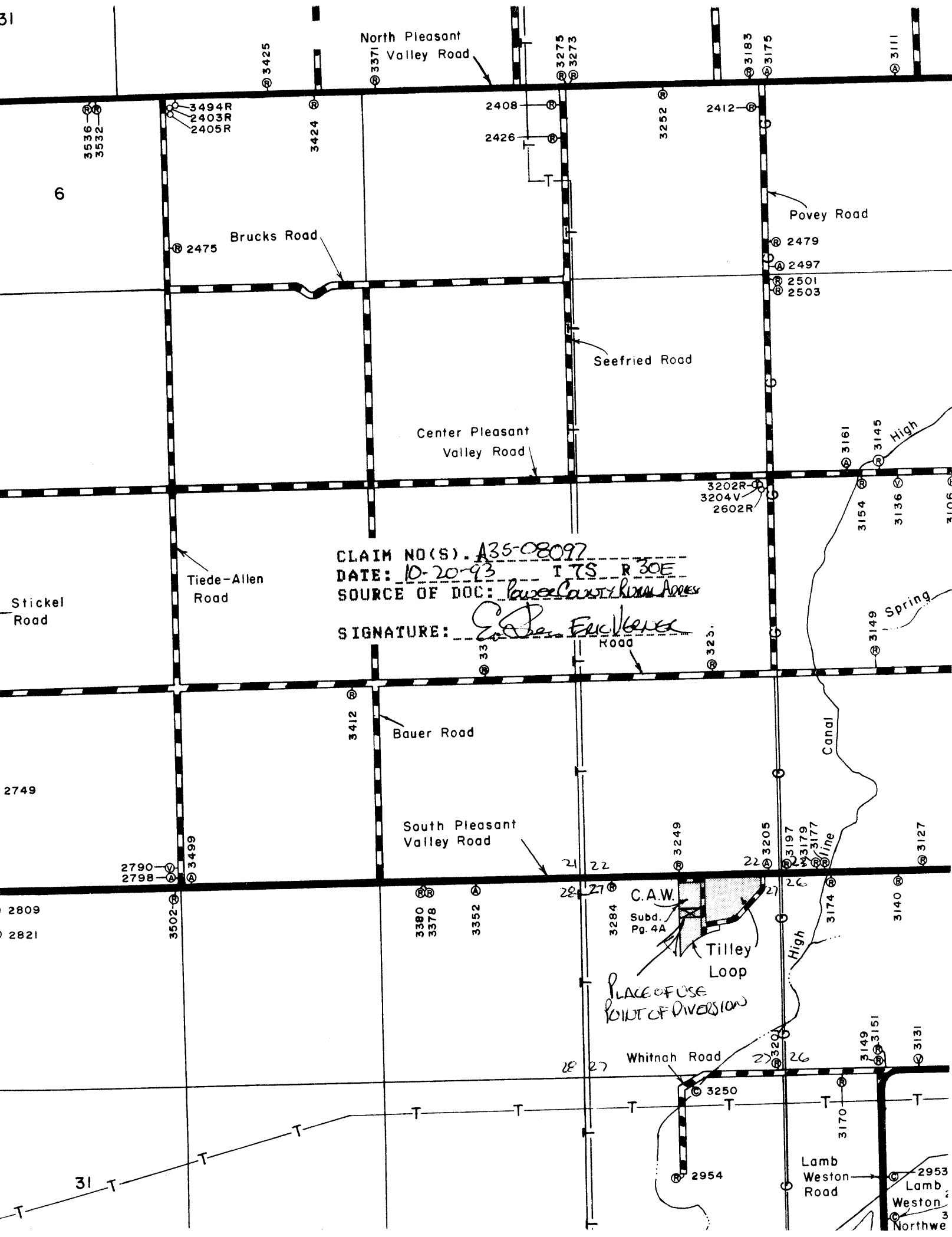
☒ **I AGREE with this proposed recommendation; no changes need to be made.**

DATE: 12-20-98

SIGNATURE:

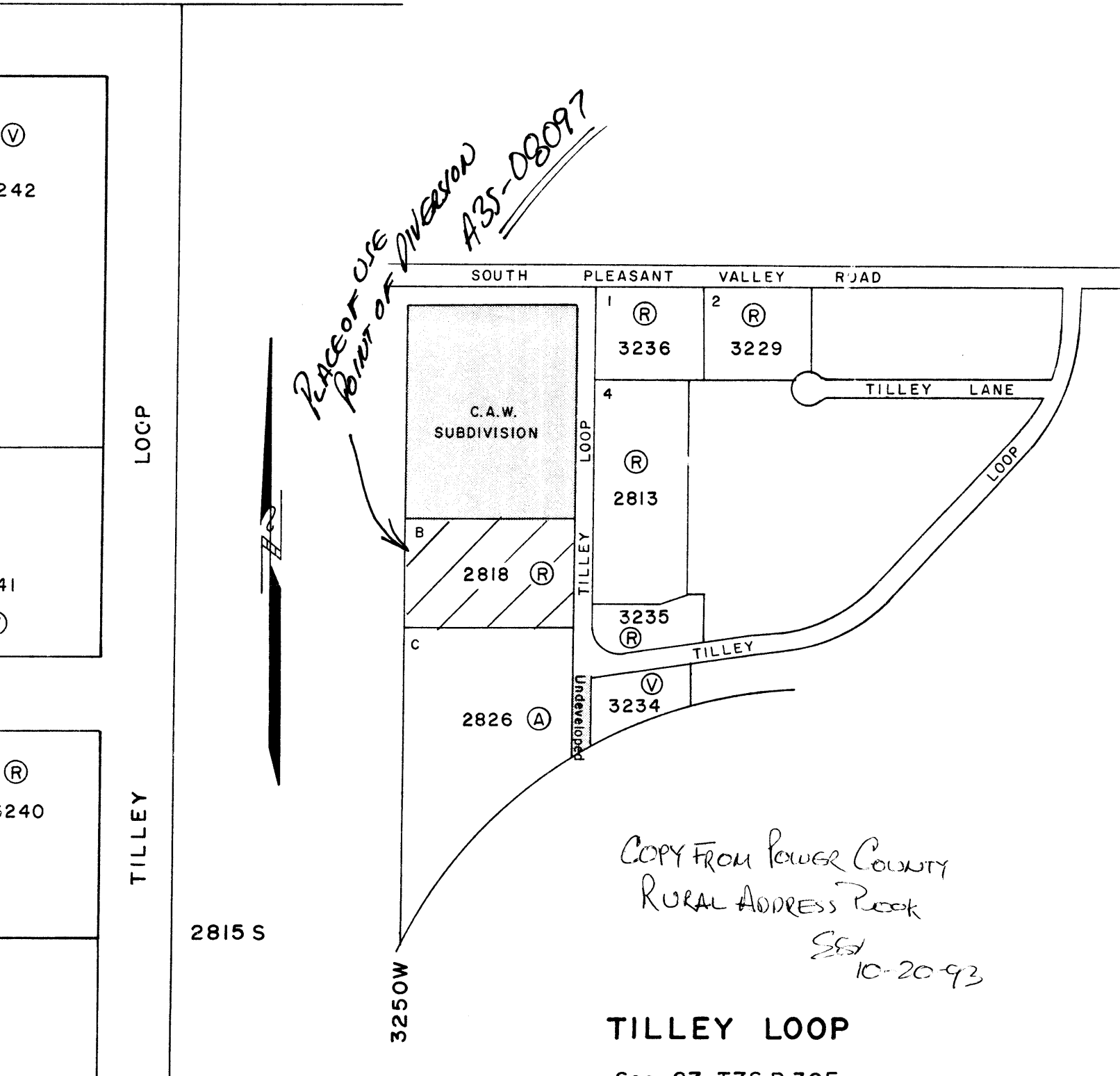
Please print your name:

Kay Stanger / Bonnie L. Stanger
Kay Stanger / Bonnie L. Stanger



CLAIM NO(S). A35-08097
DATE: 10-20-93 TTS R 30E
SOURCE OF DOC: Lower County Road Access
SIGNATURE: E. J. Erickson

2800 S



COPY FROM POWELL COUNTY
RURAL ADDRESS BOOK
SEE
10-20-93

TILLEY LOOP

Sec. 27, T.7S.R.30E.
Scale 1" = 400'

State of Idaho
Department of Water Resources

AMENDED

WATER RIGHT LICENSE

AMENDED

WATER RIGHT NO. 35-08097

Priority: February 11, 1983

Maximum Diversion Rate: 0.08 CFS
Maximum Diversion Volume: 7.6 AF

This is to certify, that ELLIS KAY STANGER
BONNIE L STANGER

2818 VISTA DR

AMERICAN FALLS ID 83211

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 11, 1983; and has submitted Proof of Beneficial Use on December 18, 1985. An examination indicates that the works have a diversion capacity of .080 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	0.04 CFS	7.0 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AF
	Totals	0.08 CFS	7.6 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 27, Township 07S, Range 30E
POWER 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>
07S	30E	27	NWNE	2		2

Total number of acres irrigated: 2

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right limited to the amount that can actually be beneficially use used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

AMENDED

AUG 26 1993

State of Idaho
Department of Water Resources

AMENDED

WATER RIGHT LICENSE

AMENDED

WATER RIGHT NO. 35-08097

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 3rd
day of August, 1993.

Acting for

Norman C Young
R. Keith Higginson, Director

RECEIVED

AUG 26 1993

NO. OF CLAMS IN POLYGON _____

TRANSFER NUMBER _____

CLAM NUMBERS 35-08097

DATE _____

OBJECTION FILED _____

AGENT _____

TOTAL ACRES FROM RECOMMENDATION 2⁰GEOGRAPHIC INFO SYSTEM 2⁰

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM	<u>75</u>	<u>308</u>	<u>27</u>		<u>2</u>														
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			

UPDATED

POLYGON #

UPDATED

B35-DBPOU.DBF _____

ATTRIBUTES OF B35-POU.SHP () _____

B35-DBPOD.DBF _____

ATTRIBUTES OF B35-POD.SHP () _____

Claimant:

E.K. STANISSEP.O.D./Source # G.W. S.W.2818 VISTA DRTownship 75, Range 308, Sect 27Am Faus ID 832111. SUNNINE

2.

3.

Other Rights:

P/U CONFLICT yes () no ()

P/D CONFLICT yes () no ()

SENT FOR DECREE yes () no ()

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Stanger CLAIM ENT. NO. A35-08097

DATE RECEIVED 4-11-90 CK # _____ AMOUNT \$ 52⁰⁰

- | | YES | NO | Required Info? |
|--|-------------------------------------|-------------------------------------|----------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. | | | |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | ☒ | ☐ | |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? | ☐ | ☒ | |
| Is the consumptive use correct? | ☐ | ☒ | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | ☒ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | ☒ | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | ☒ | ☐ | |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 19. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 20. Is the fee enclosed correct? | ☒ | ☐ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? | ☒ | ☐ | |
| 22. Should this claim be data entered? | ☒ | ☐ | |

Claim checked by: RAF Date: 4-27-90

Claim must be returned to claimant: ☐ (Yes) ☒ (No)

Claimant must be notified of modifications: ☐ (Yes) ☒ (No)

Receipt Prepared by: _____ Date: _____
Claim data entered by: RAF Date: 4-27-90 Checked by: RAF Date: 4-27-90
Sent to claimant by: _____ Date: _____

MICROFILMED

Comments: _____
DEC 10 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

April 9, 1990

Kay & Bonnie Stanger
2818 Vista Dr.
American Falls, ID 83211

RE: Notice Of Claim

Dear Kay or Bonnie Stanger:

The Idaho Department of Water Resources (IDWR) is returning Check #1531 (\$52.00) and your Notice(s) of Claim to a Water Right because of insufficient information. All items on the forms must be completed and fees submitted before the IDWR can process the notice(s).

Please correct the items identified below and return the notice(s) and filing fee(s) to the IDWR within 30 days of the date of this letter. If the corrected notice(s) are not returned within the 30 days, each notice will be subject to an additional late fee.

Complete the signature on the check.

If you wish to make an appointment to discuss the corrections, please call the IDWR at (208) 525-7161.

Respectfully submitted,

A handwritten signature in cursive script, reading 'Ernest Carlsen', is written over a horizontal line.

Ernest Carlsen
Adjudication Supervisor

EC:jt

Enclosure

MICROFILMED

DEC 10 1992

RECEIVED

April 4, 1990

RECEIVED

APR 11 1990

Idaho Department of Water Resources

150 Shoup Avenue, Suite 15

Idaho Falls, Idaho 83401

Department of Water Resources

Eastern District Office

APR - 6 1990

Department of Water Resources

Eastern District Office

To whom it may concern:

As required by Idaho Department of Water Resources, please consider this full and proper notification of a change of address, as noted.

FORMER ADDRESS

CURRENT ADDRESS

Rt. 1 Box 189

2818 Vista Drive

A receipt for the enclosed adjudication filing fee is also being requested at this time. Thank you.

Sincerely,

Mrs. E. Kay Stanger
2818 Vista Drive
American Falls, Idaho 83211

Check enclosed - (\$52)

MICROFILMED

DEC 10 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-8097

Priority: February 11, 1983 Amount: .08 CFS 7.6 AFA

This is to certify, that ELLIS KAY STANGER
BONNIE L. STANGER

RT. 1 BOX 189

AMERICAN FALLS, ID 83211

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated February 11, 1983, and has submitted proof to the Department of Water Resources on December 18, 1985, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .08 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Irrigation	04/01 to 11/01	.02 cfs	7.0 afa
Domestic	01/01 to 12/31	.04 cfs	.6 afa
Totals		.08 CFS	7.6 AFA

LOCATION OF POINT OF DIVERSION(S):

NWNE , Sec. 27, Township 7S, Range 30E
Power County

PLACE OF USE: Irrigation

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
7S	30E	27	NWNE	2			2

Total number of acres irrigated: 2

PLACE OF USE: Domestic, same as Irrigation use

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. 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 license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 2nd day of APRIL, 1987.

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APR 13 1987

Acting for the Director

Norman C. Young

MEMORANDUM

TO: File 35-8097

FROM: Jim Johnson

DATE: March 5, 1987

RE: Adjustment to Recommendation for License

In response to a telephone call and subsequent letter from the permit holder, I have reviewed the reasons that the permit holder's feel more land should be included than was originally proposed by the field examiner.

Area in Question

When the field examination was conducted, the examiner excluded an area which was adjacent to the existing lawn because it contained sagebrush and trees. The trees were planted and watered according to the permit holder.

The permit holder stated that winds were prominent and they had to maintain some type of ground cover in order to prevent wind-caused erosion. During the dry, hot months (July, August & September) they watered the native sagebrush as well as the trees to insure that ground cover would be maintained. Therefore, the permit holder feels that this area should be included. They plan to change the sagebrush growth to lawn when the trees get established enough to serve as an effective wind break.

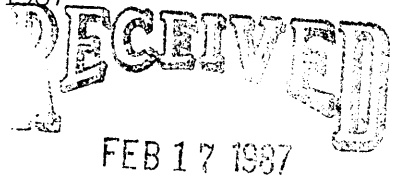
Conclusion

The examination did not identify that trees were present, and that some irrigation was occurring, however, rather than re-do the examination which probably would result in the addition of the area in question, I recommend that the area be included on the license.

UNRECORDED

APR 13 1987

February 9, 1987



RE: Permit No. 35-8097

Attention: Jim Johnson, Water Rights Supervisor

Department of Water Resources

In reference to the proposed water right permit, and in response to your request following our telephone conversation, February 6, 1987, I am writing to note that we do not concur with the information shown on the draft copy of the license proposed to be issued on the above referenced water right.

As I explained in our telephone conversation, our request was for two acres, not one, as noted on the proposed license. The state inspector has obviously neglected to consider ground area which includes approximately 325 trees, which are to serve as a windbreak, in addition to a large garden and raspberry patch (approximately 300 raspberry plants). Although the windbreak area presently has sagebrush growing in it also, there is justifiable reason for such. In planting the seedlings approximately 5 years ago, our county extension agent advised us to leave the sagebrush where it was until the trees had developed enough to help break the wind. This was determined an absolute 'must' as the total area of property concerned is sandy, and with the frequent winds which we experience, the trees and landscaping would both receive a great deal of damage without the aided protection of the sagebrush. For example, in seeding our yard with grass, one side area remained un-watered one afternoon while we were away from the home. Three to four hours later we arrived home only to find approximately 200 square feet of seeded yard across the road on a neighboring yard, heavy enough that the grass underneath it could not be seen.

The only other option we presently have is to do a great deal more irrigating, which does not seem practical. I hope you can see that this is definitely a situation needing individual consideration. We request the license be issued for two acres as originally noted, instead of only one.

We will be waiting for your response to this matter.

RECORDED

APR 13 1987

Sincerely,

Ellis Kay Stanger

Bonnie Louise Stanger

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED
SEP 19 1986

35-8097
Permit No.

Department of Water Resources

1. Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

$$\text{Theoretical} \Rightarrow \frac{5.1p(.8)(8.814)}{20\text{ psi}(2.31) + 115'} = \frac{0.22}{0.19} \text{ cfs.}$$

Model NO. 29 - 5/32" nozzle @ 20 psi = 3.11 gpm

$$3.11 \text{ gpm (11 birds)} \left(\frac{\text{cfs}}{450 \text{ gpm}} \right) = 0.08 \text{ cfs} \leftarrow \text{actual} \checkmark$$

$$\text{Acreage} \Rightarrow 180' \times 270' = 48,600 \text{ Ft}^2 \left(\frac{\text{ac}}{43,560 \text{ Ft}^2} \right) = 1.12 \text{ ac} \times 0.08 \text{ cfs} = \underline{0.09 \text{ cfs}}$$

b) Volume Calculations for Irrigation:

$$\begin{aligned} V_{I.R.} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (1 \text{ ac})(3.5) = 3.5 \text{ afa} \\ V_{D.R.} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (0.08 \text{ cfs} \times 214)(1.9835) = 8.49 \\ V &= \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{3.5 \text{ Afa}} \end{aligned}$$

c) Volume Calculations for Other Uses:

$$1 \text{ domestic} \Rightarrow .04 \text{ cfs} \leftarrow .6 \text{ afa} \checkmark$$

2. Overlap Review

a) Other water rights with same place of use: NA

b) Other water rights with same point of diversion: NA

c) Analysis:

NA

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APR 13 1987

per. 10.0.0
Exam of 2

RECOMMENDED AMOUNTS

10 day

Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
35-8097	2-11-1983	0.06 cfs	2-11-1983	12-18-1985	0.08 cfs

4. Permit Holder: Ellis Kay or Bonnie N. Stanger
Address: Rt. 1, Box 189, American Falls, ID 83211

5. Source: gw tributary to

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic (1)	1-1 ✓	12-31 ✓	0.04 cfs	0.6 AF
Irrigation ✓	4-1 ✓	11-1 ✓	0.02 cfs	3.5 afa ✓

Allowable Maximums: 0.06 cfs ✓ 4.18 afa ✓

7. Point(s) of Diversion:

No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County
			NW	NE	27	7S	30E	Power

8. Place(s) of Use

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	30E	27		1															1
Total Acres <u>1</u>																			

9. Recommended Conditions/Remarks:

10. 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

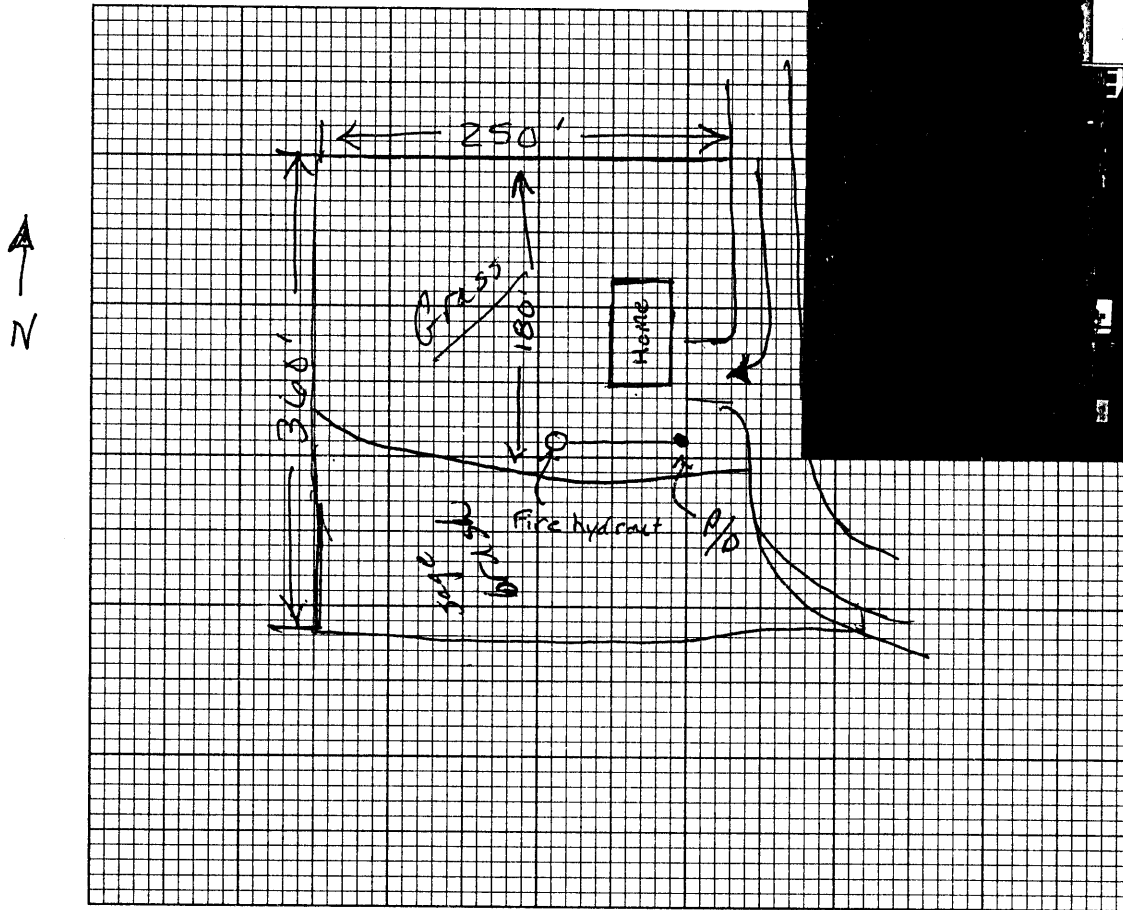
11. Examiner's Signature Richard Jones Jr.
Checked in Regional Office by J. L. Jones
Approved in State Office by H. Walker

Date 7-1-86
Date 8-29-86
Date 1-16-87

RECORDED
APR 13 1987

Total Acres 1

10. Other water rights on these lands NA
11. Other water right dive. from same p.d. NA
12. **Diversion and Delivery System Diagram:** Indicate all major components. Indicate ditch size/pipe i.d. as applicable. Indicate on distance between the port and the nearest component/pipe downstream, and the inside pipe diameter at the measurement indicate how diversion systems are connected.



13. ☒ Photo of Diversion & System Attached

☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks I observed approx. 3/4 to 1 acre of sagebrush. Mr. Kay said he plans to plant more grass and trees, so he will be irrigating this land within the year.

15. 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

16. Examiner's/Consultant's Signature Richard L. Lason Date 6-26-86

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date

CONSULTANT SEAL

MICROFILMED

APR 13 1987

MEMORANDUM

From: Richard Lenon R.L.
Date: June 26, 1986
Re: Permit No. 35-8097

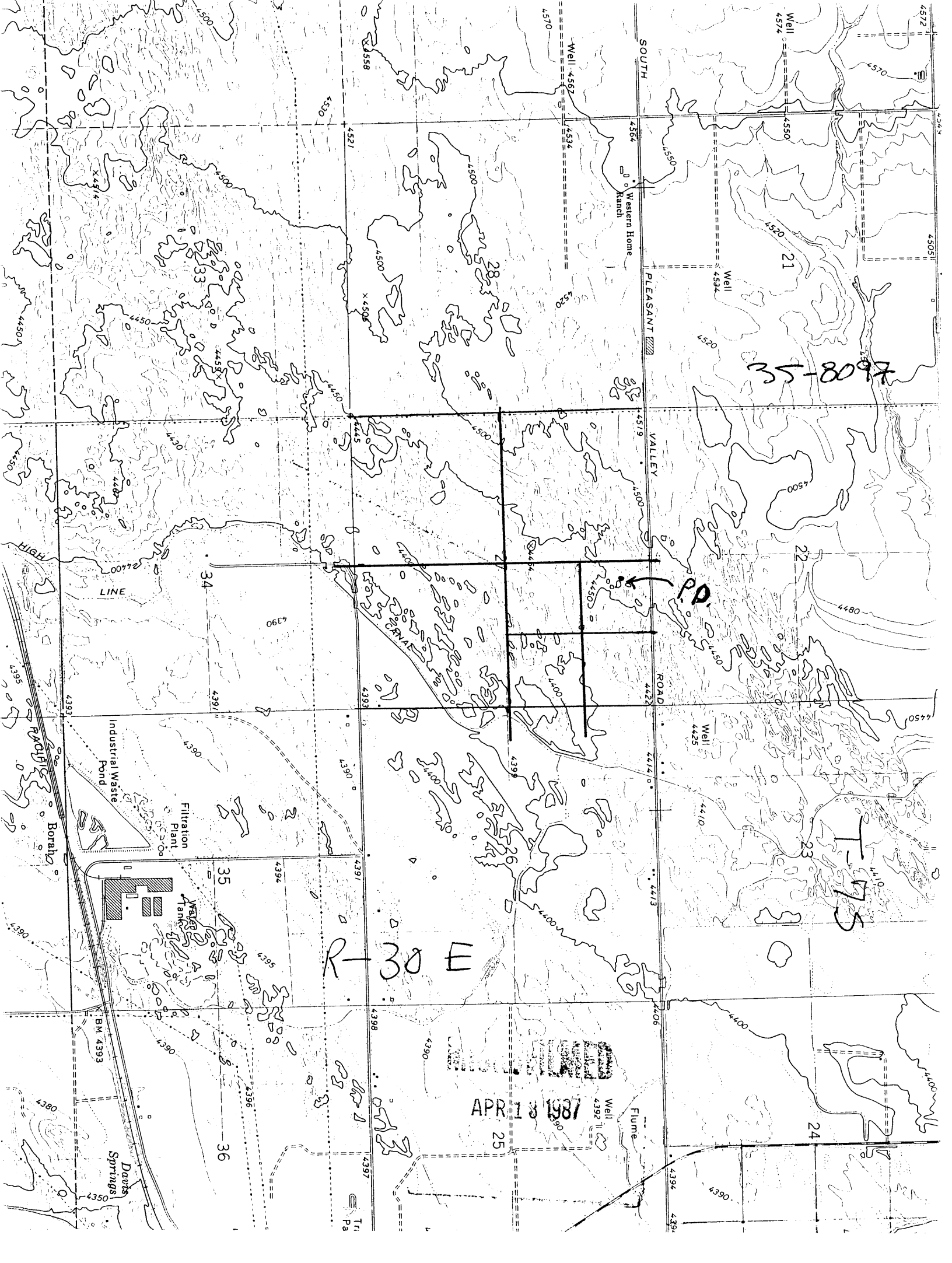
During the conversation that took place over the telephone between Ms. Stanger and me on June 25, 1986, she stated that she and Mr. Kay were planning to plant grass and trees and install a sprinkler system on the other acre of land, which is currently sagebrush. Also, during the conversation I had with Mr. Kay during the field exam on June 26, 1986, he stated they were eventually going to plant grass and trees on the other acre of ground.

At the time of this exam, I observed one acre of lawn that was being irrigated and another one acre of land of sagebrush. I licensed them for only one acre of irrigation since that was the actual use.

This memorandum is made for clarification purposes. Mr. Kay and Ms. Stanger desired to be licensed for two acres, and they may be under the impression that they will be licensed for two acres.

MICROFILMED

APR 13 1987



35-8097

T-75

R-30 14

APR 13 1987

SOUTH

PLEASANT VALLEY ROAD

Western Home Ranch

Well

Well

Industrial Waste Pond

Filtration Plant

Borah

BM 4393

Davis Springs

Flume

Well

Tri Pa