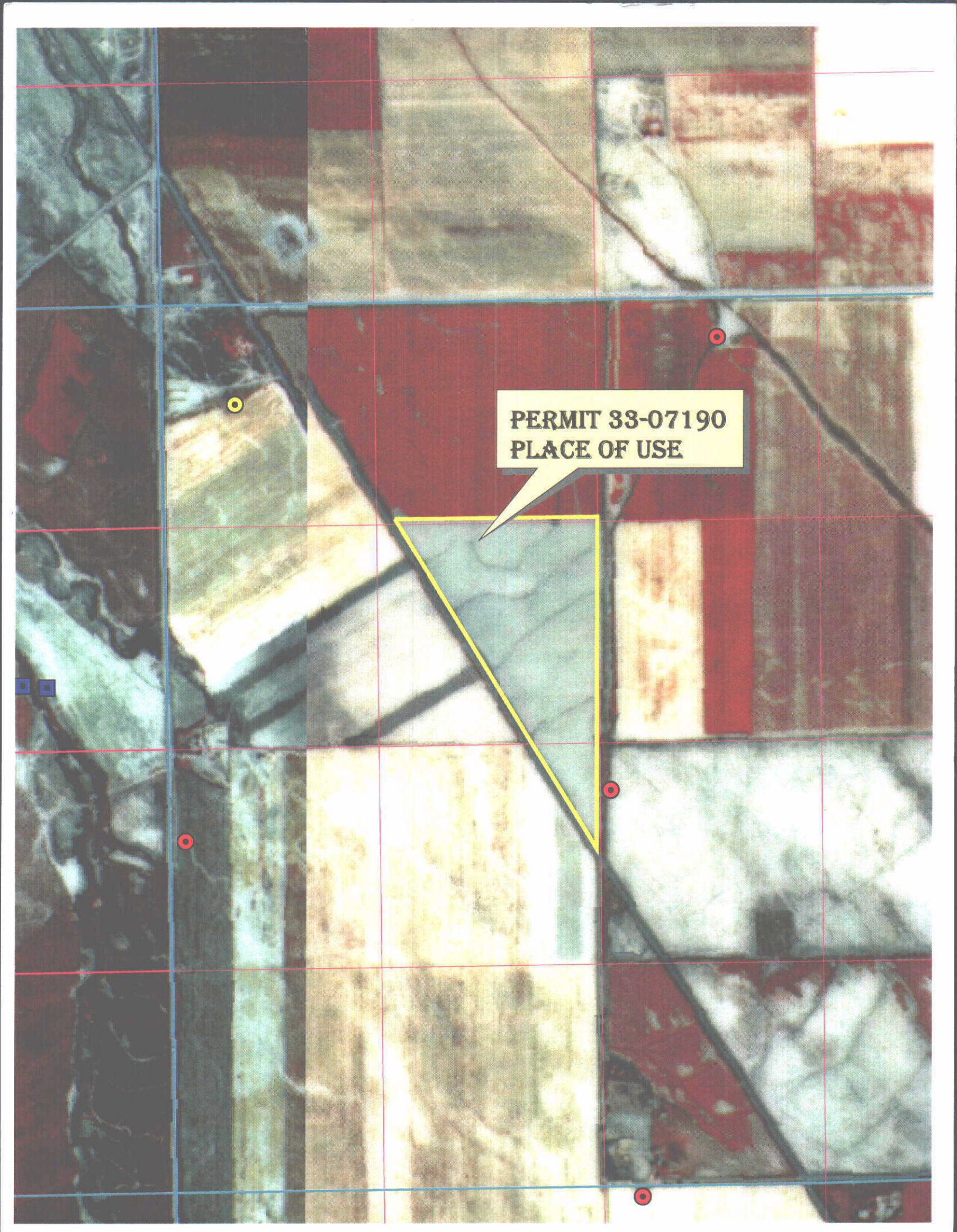
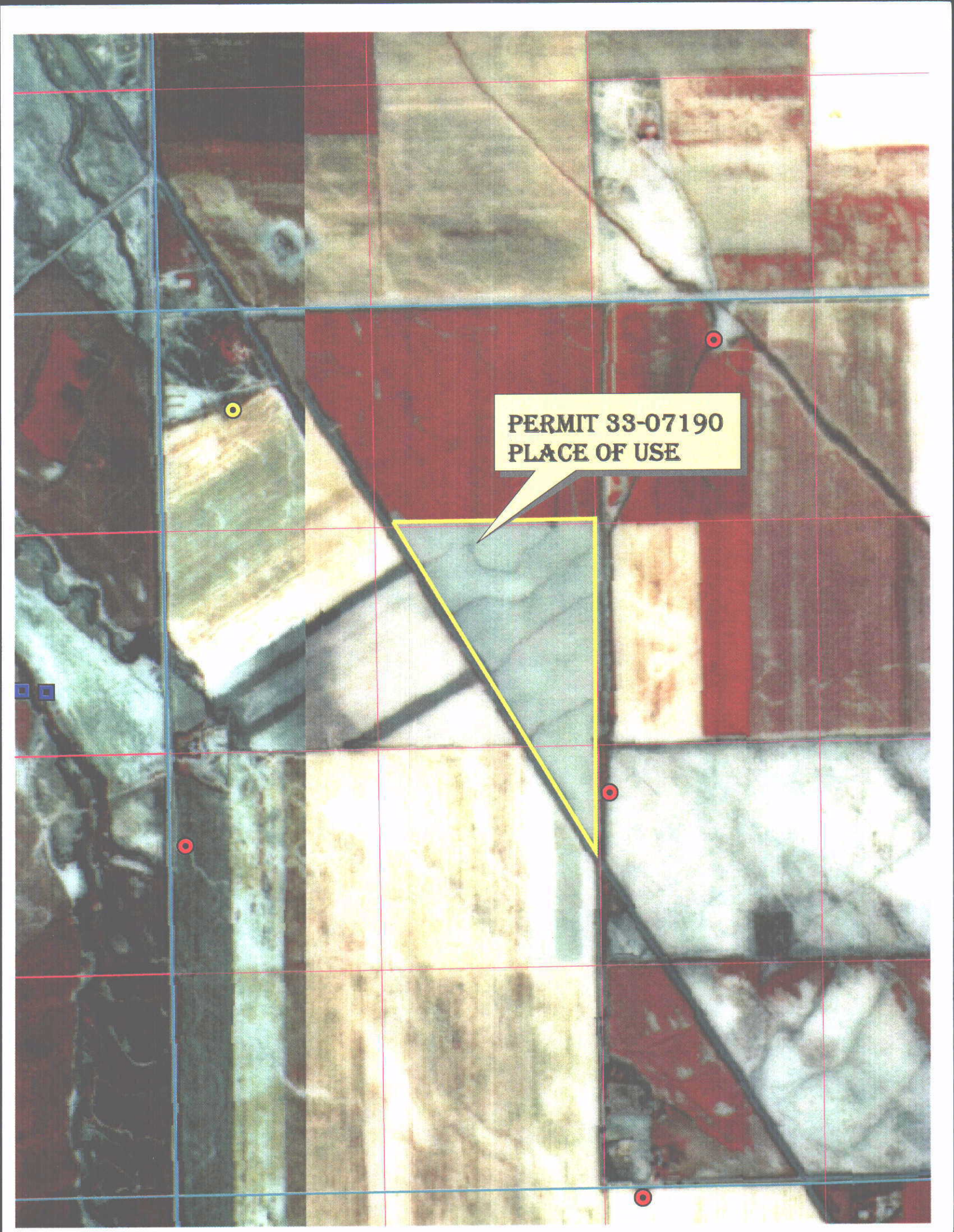


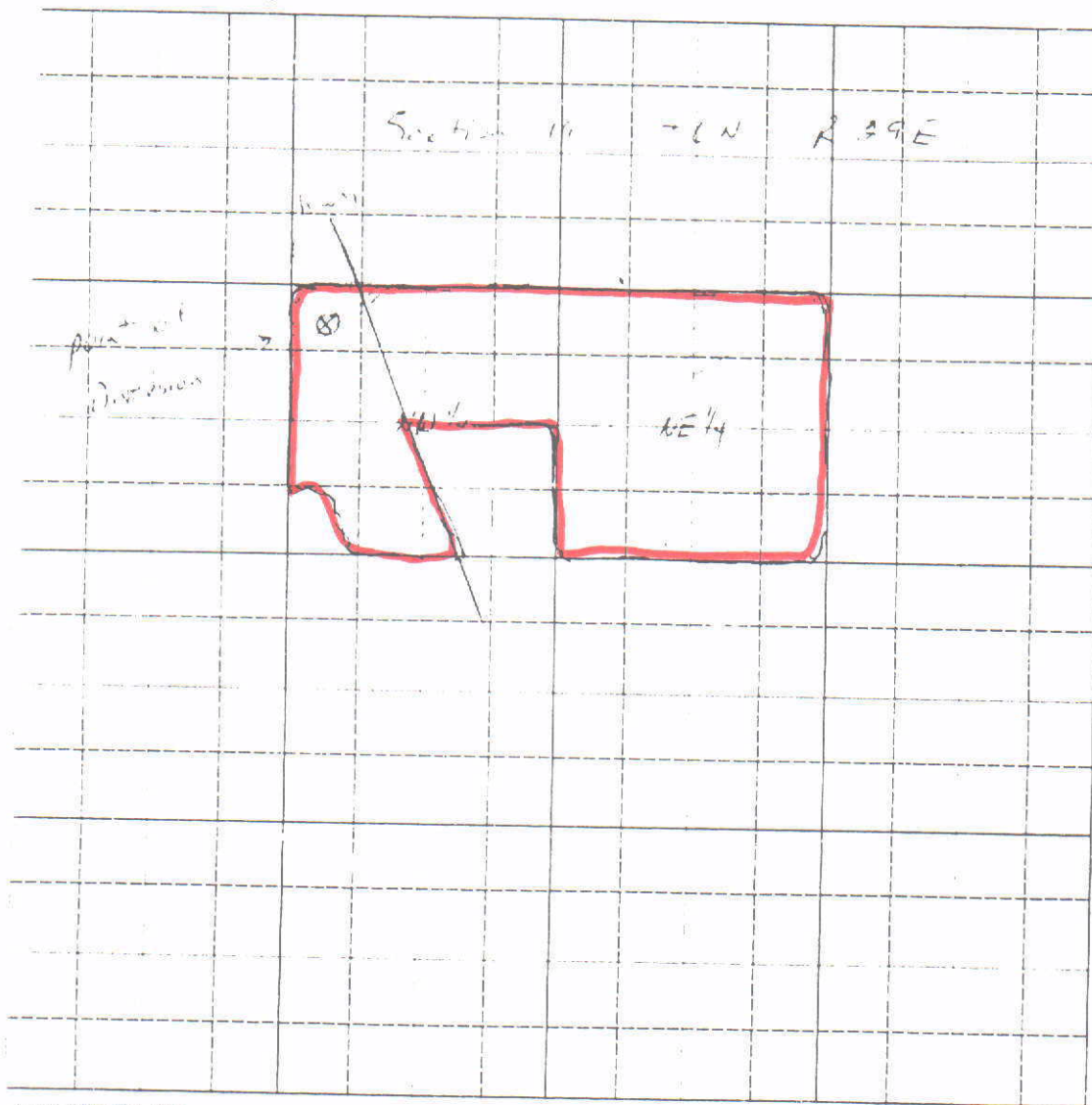
An aerial photograph of a landscape, possibly a wetland or agricultural area, overlaid with a grid of red and blue lines. A yellow-outlined polygon is drawn on the map, and a yellow callout box points to it. Several red circles are marked on the map, and two blue squares are visible on the left side.

PERMIT 33-07190
PLACE OF USE

An aerial photograph of a landscape, possibly a wetland or coastal area, with a grid overlay. The grid consists of red horizontal and vertical lines, and blue diagonal lines. A yellow-outlined polygon highlights a specific area in the center-left. A yellow speech bubble points to this area. Several red circles are marked on the map, and two blue squares are on the left edge.

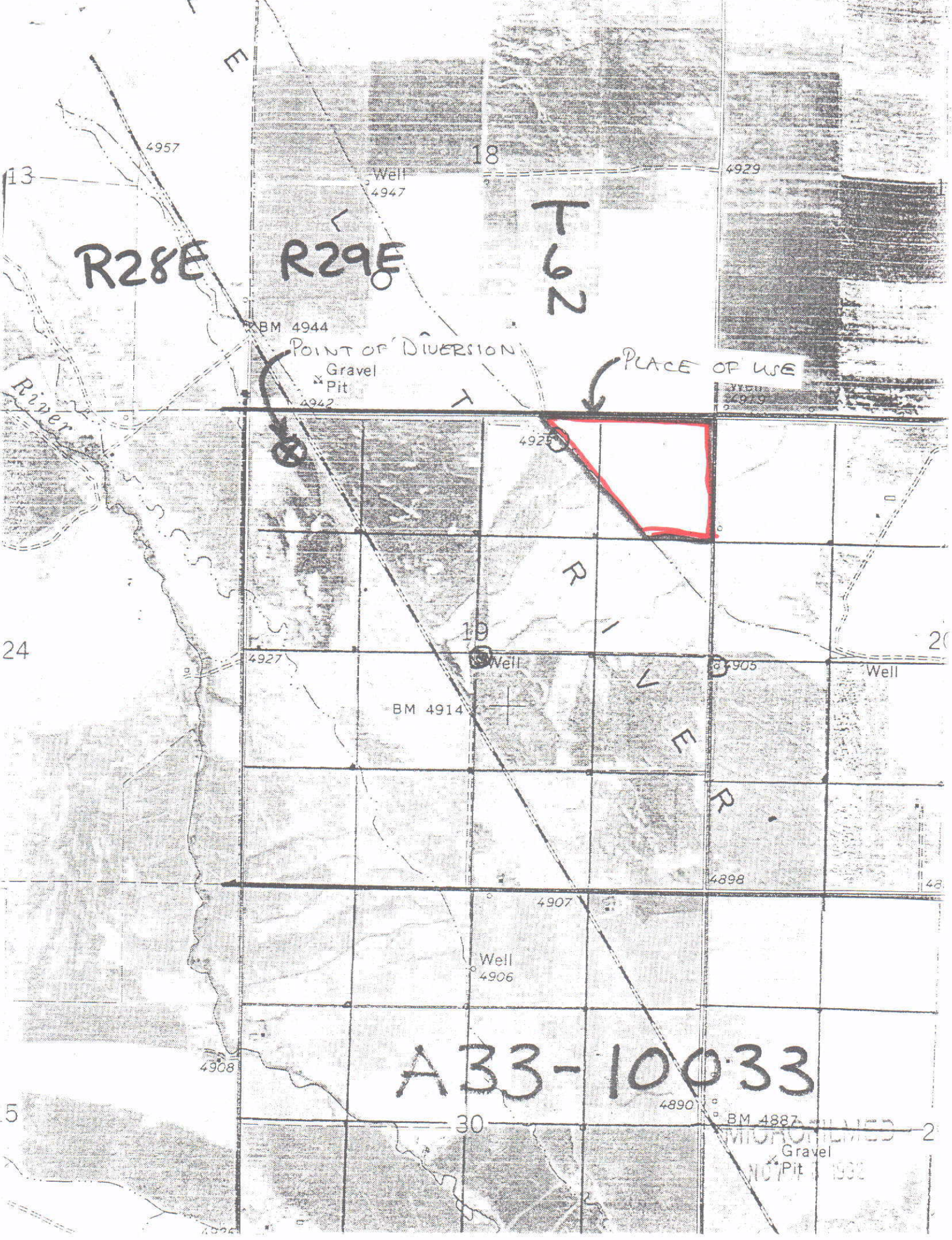
**PERMIT 33-07190
PLACE OF USE**

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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

Walter A. Carter
(Applicant)
Walter A. Carter



R28E

R29E

T6N

A33-10033

Point of Diversion

Place of Use

MICROFILMED

13

18

4929

4957

Well
4947

BM 4944

Gravel
Pit
4942

4925

24

4927

19

Well

BM 4914

4905

Well

4898

4907

Well
4906

4908

4890

BM 4887

Gravel

Pit 1932

5

30

2



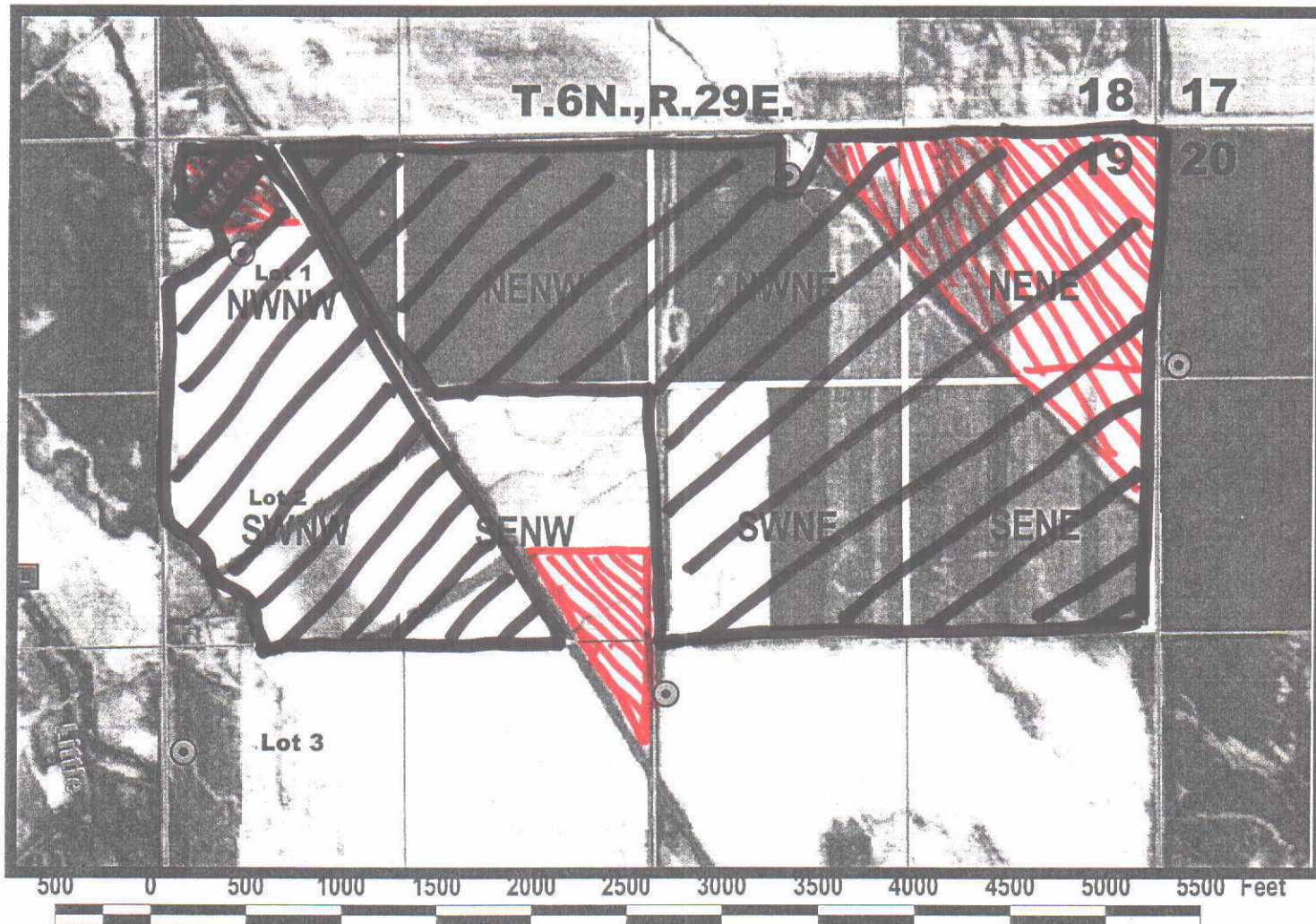
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Owen Romrell

Water Right(s): 33- 02059, 33-10033

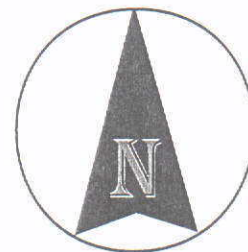


 **AJ**
recommend

Place(s) of Use: T.6N., R.29E.
Sec. 19 (parts of) N2

 **licenses**
7189 & 7190

Point(s) of Diversion:
T.6N., R.29E., Sec. 19
NWNWNW (Lot 1)



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: June 1999

4957

Well
4947

18

4929

R28E

R29E

T
6
N

BM 4944

POINT OF DIVERSION

Gravel

Pit

4942

Well
4919

L1

4925

PLACE OF USE

L2

R

4927

Well

4905

Well

L3

BM 4914

L

E

L4

R

4898

48

4907

Well
4906

MICROFILMED

NOV 8 1992

A33-02059

4908

4890

BM 4887

30

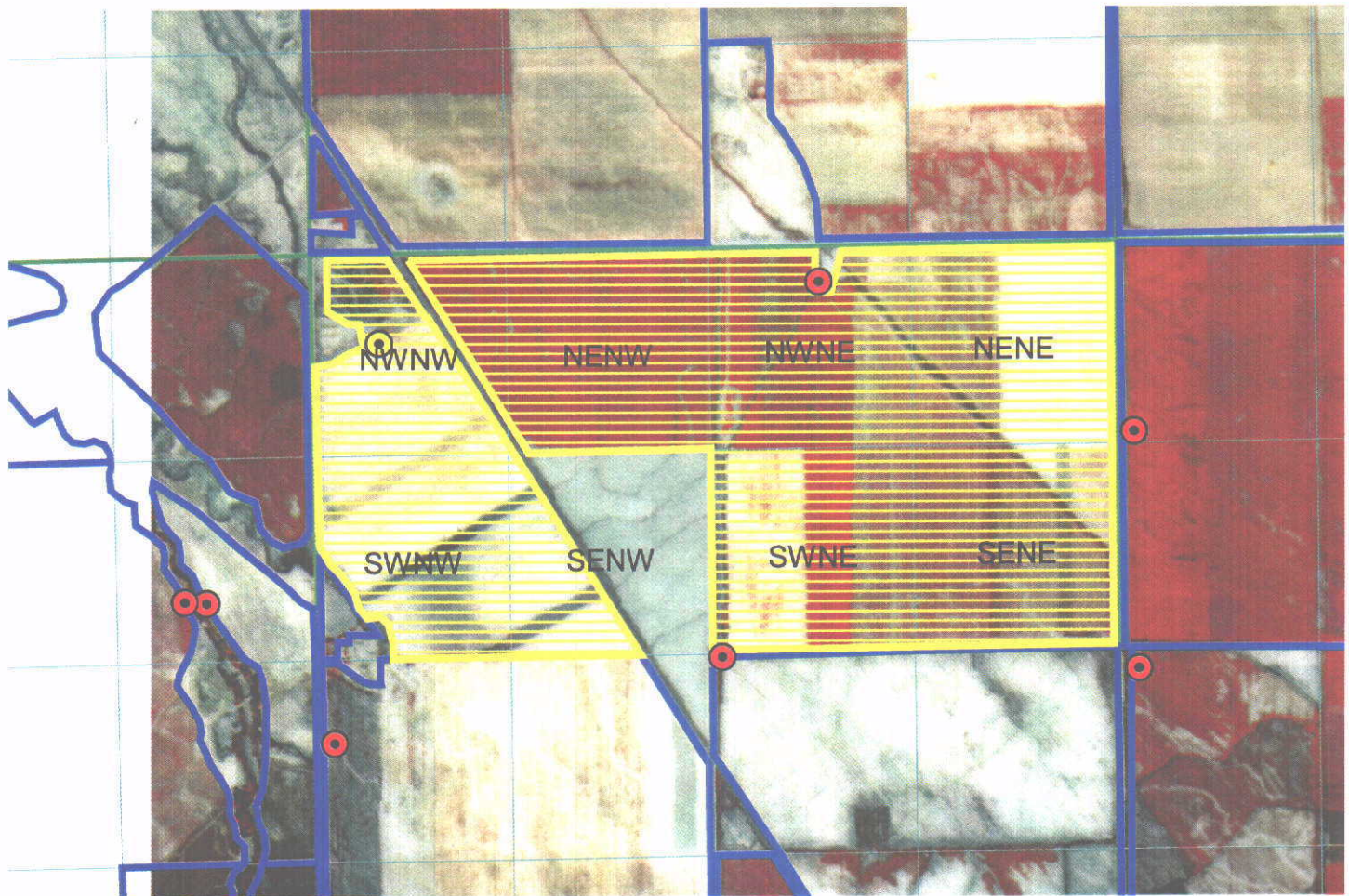
2

Gravel
Pit

4926

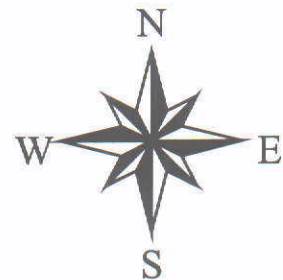
Idaho Department of Water Resources

Water Right Number 33-10988



0 1 Miles

Township 6 North, Range 29 East



- Divisions - This WR
- Divisions - Other WR
- Place of Use - This WR
- Place of Use - Other WR
- Section Lines
- Quarter-Quarter Lines

GIS Illustration based on
1987/88 NAPP Photography
Prepared by Bryce A. Contor
December, 1999

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DIVERSION
VOLUME

55

Stage: BENEFICIAL USE

BUTTE County

SE

268.0

- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS.

LICENSES WERE ISSUED ON 33-07189 AND 33-07190. EXAMINER FOUND 3.45 CFS DIVERSION CAPACITY AND 302.5 ACRES PLACE OF USE.

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5650
WATER RIGHT NO(S). 33-02059/33-07189/33-07190/33-10988

This is to certify that: OWEN A ROMRELL
VELLA JEAN ROMRELL
EC 65 BOX 58
HOWE ID 83244

RECEIVED

JUN 16 2000

Department of Water Resources
Eastern Region

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 33-02059 :			
IRRIGATION	04/01 to 10/31	3.20 CFS	787.5 AF
Priority: 05/16/1952			
Right No. 33-10988 :			
IRRIGATION	04/01 to 10/31	0.73 CFS	310.0 AF
Priority: 08/17/1957			
	SUBTOTAL:	3.93 CFS	787.5 AF *
Right No. 33-07189 :			
IRRIGATION	04/15 to 10/15	0.80 CFS	245.0 AF
Priority: 07/31/1989			
Right No. 33-07190 :			
IRRIGATION	04/15 to 10/15	0.12 CFS	36.8 AF
Priority: 12/12/1989			
	TOTAL:	** 3.93 CFS	1032.5 AF **

SOURCE

GROUND WATER

LOCATION OF POINT(S) OF DIVERSION: Lot 1(NWNWNW), Sec. 19, Township 06N, Range 29E
BUTTE 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>
06N	29E	19	NENE 38	NWNE 38	SWNE 39	
			SENE 38	NENW 38	Lot 1(NWNW) 31	
		Lot 2(SWNW)	33	SENW 37	NESW 3	295
Total number of acres irrigated:						* ** 295 ***

TRANSFER NO. 5650
WATER RIGHT NO(S). 33-02059/33-07189/33-07190/33-10988

CONDITIONS OF APPROVAL AND REMARKS

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 3.5 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- *** 5. Right 33-02059 is limited to the irrigation of 225.0 acres in the place of use described above in a single irrigation season.
- *** 6. Right 33-10988 is limited to the irrigation of 225.0 acres in the place of use described above in a single irrigation season.
- * 7. Rights 33-02059 and 33-10988 when combined shall not exceed a total annual maximum diversion volume of 787.5 af at the field headgate and the irrigation of 225.0 acres.
- *** 8. Right 33-07189 is limited to the irrigation of 70.0 acres in the place of use described above in a single irrigation season.
- *** 9. Right 33-07190 is limited to the irrigation of 10.5 acres in the place of use described above in a single irrigation season.
10. Rights 33-02059, 33-07189 and 33-07190 when combined shall not exceed a total diversion rate of 3.45. cfs.
- ** 11. Rights 33-02059, 33-10988, 33-07189 and 33-07190 when combined shall not exceed a total diversion rate of 3.93 cfs, a total annual maximum diversion volume of 1032.5 af at the field headgate, and the irrigation of 295.0 acres.
12. Rights 33-02059, 33-10988, 33-07189 and 33-07190 when combined with Right 33-10033 shall not exceed a total diversion rate of 3.93 cfs, a total annual maximum diversion volume of 1032.5 af at the field headgate, and the irrigation of 295.0 acres.
13. Pursuant to Section 42-1412(6), Idaho Code, Rights 33-02059 and 33-10988 are subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
14. Use of ground water under Rights 33-02059 and 33-10988 is combined with water from Blaine County Canal Co.

TRANSFER NO. 5650
WATER RIGHT NO(S) . 33-02059/33-07189/33-07190/33-10988

CONDITIONS OF APPROVAL AND REMARKS

15. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under Rights 33-02059 and 33-10988 and shall only divert ground water under these rights when water from the appurtenant surface water rights cannot be delivered to the right holder.
16. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, Rights 33-02059 and 33-10988 to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
17. The period of use for the irrigation described under Rights 33-07189 and 33-07190 may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
18. Rights 33-07189 and 33-07190 are for the use of trust water and are subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
19. Diversion and use of water under Rights 33-07189 and 33-07190 are subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
20. The Director retains jurisdiction of Rights 33-07189 and 33-07190 and may change, add, or remove any requirement as determined to be appropriate.

Dated this 9th day of June, 2000.


Chief, Water Allocation Bureau

To: A33-10988, A33-10033
Fr: Bryce A. Contor
Date: 1/19/2000



Re: Licensing Review

Kay Walker has contacted me with Allocation's decision to deal with the overlap problem by allowing Romrell to file a transfer combining all the rights into a permissible place of use. I have reviewed the proposed transfer application and it appears to be compatible with the adjudication claims.

Kay's letter to Romrell indicates that the transfer will effectively supercede enlargement claim A33-10033, with a superior priority, and then inadvertently suggests that Romrell withdraw claim A33-10988.

A33-10988 is not an enlargement claim and should not be withdrawn. Once the transfer is approved, Romrell could withdraw claim A33-10033 without harming himself. It would probably be unwise to withdraw it any sooner.

To: R33-10988
Fr: Bryce Contor
Date: 1/11/00



Re: Remarks

Al Ruberry suggested today I review the remarks as follows:

1. Is E04 (3.93 cfs in combination with 33-02059, 33-07189, 33-07190, and 33-10033) necessary in light of E27 (3.93 cfs and 938 afa in combination with 33-02059 and 33-10033)?

Response: E04 is necessary to limit diversion rate to capacity of system on all rights from this well, even though all rights do not share a common PPU. E27 is necessary to limit the annual diversion volume for the AJ recommended rights on the common PPU. 33-07189 and 33-07190 do not need to be included in E27 because they have their own afa limitations. Those limitations were not folded into the overall limitation because the claimant is requesting amended licenses, which potentially will change the afa limitations on these licenses.

2. Is E11 (225 acres in combination with 33-02059 necessary in light of K06 (this right limited to 225 acres)?

Response: K06 is necessary to define original extent of POU for this beneficial use claim. E11 is necessary to prevent "unstacking" of 100% overlapped license.

July 30, 1999

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: September 10, 1999

Water right number:

33-10988

Owen Romrell

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):

Blaine Co water has been transferred to another property.

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:

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

DATE: 12-14-99

SIGNATURE:

Please print your name:

Owen A. Romrell

Owen A. Romrell

Response: BCC has filed a transfer which will remove BCC water from this pole. Transfer is waiting

IDWR Eastern Regional Office, 900 N. Skyline Drive, Suite A, Idaho Falls, ID 83402-1718, (208) 525-7161

for AF partial decree -

Byron A. Croton

Contor, Bryce

From: Contor, Bryce

Sent: Tuesday, December 14, 1999 4:06 PM

To: Keen, Shelley

Subject: 33-07189, 33-07190

Mr. Romrell brought in the results of the energy audit. I've dropped a copy in the mail for you. The test was conducted 8/11/1987. Max flow condition was 4.0 cfs @ 65 psi, running 5 wheellines and 5½ handlines.

The derived efficiency seems a little high, which might indicate the measured gpm was high. However, the efficiency is consistent with the efficiencies measured at other conditions and therefore seems to indicate that indeed, the efficiency was good on this pump.

The reported flow also corresponds nicely with nozzle counts. The test doesn't reference it but at that time one line was equipped with 11/64" nozzles, two with 5 gpm flow-control nozzles, and the rest with 5/32" nozzles. Using "rule of thumb" values gives approximately the same result as the test:

1 X 32 X 6 gpm =	192 gpm
9½ X 32 X 5 gpm =	<u>1520 gpm</u>
Nozzle-count total =	1712 gpm = 3.81 cfs.

Because the pump was changed after 1963 I'd still plan to base AJ recommendations on the 1957 documented Q of 3.93. This test however is good supporting documentation.

I don't know what you can do or want to do with licensing recommendations, but since I have the information in hand I thought you ought to see it too.

Thanks, Bryce

Kay Walker

11/00

Amend licenses or transfers
put all arms on all rights -
let the licenses supersede enlargement -

cover whole farm as PPR w/ all
rights -

Send theme & super
w/ arm per QQ -

I will call Russell.

Kay will send xfer application
w/ letter



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 9, 1999

Owen A. Romrell
HC 65 Box 58
Howe, Idaho 83244

Dear Mr. Romrell,

Enclosed is a copy of the proposed recommendations for your Adjudication claim A33-10988, a map illustrating the proposed place of use, and a Notice of Error Reply sheet.

Please review the proposed recommendations for this water right, and fill out and return the reply sheet. As before, you may either agree with the recommendations or explain why you disagree, and what you believe the recommendation ought to be.

You will notice that the recommended combined diversion rate is 3.93, which is less than claimed. The recommended rate comes from the 1957 field examination that is the evidence for the priority of this claim. This is about the same rate that was measured in the 1987 or 1988 energy audit. If you could send a copy of that audit, it would strengthen this recommendation.

Please feel free to call me at the office (525-7161) or at home (663-4853) if you have questions or concerns.

Sincerely,

Bryce A. Contor

To: Claims A33-02059
A33-10033
A33-10988 ✓

Fr: Bryce A. Contor 

Date: 12/3/1999

Re: Overlap

Overlap analysis of post-AJ licenses 33-07189 and 33-07190 was done on a pre-accomplished-transfer basis.

Recommendations for above claims was done on a post-accomplished-transfer.

Result is an unintended overlap on part of the POU of the licenses and recommendations, and an unintended gap on part of the POU.

We cannot correct this by adjusting AJ recommendations because the "gap" portion is located in a field that as of 1987 had not been irrigated from this source for 10 years.

Letter from the claimant to Glen Saxton and Shelley Keen in file A33-10988 details history and proposed solution.

Owen A. Romrell
HC 65 Box 58
Howe, Idaho 83244
208-767-3478
Decmber 3, 1999

Glen Saxton
Shelley Keen
Water Allocation Bureau
Idaho Department of Water Resources
1301 North Orchard
Boise, Idaho 83702

Re: Petition for Reconsideration of Preliminary Order, Licenses 33-07189, 33-07190

Dear Mr. Saxton and Mr. Keen:

In reviewing preliminary recommendations for Adjudication Claims 33-02059, 33-10033, and 33-10988, I've become aware of a problem. This letter outlines the fact that the interaction between a pre-accomplished-transfer licensing recommendation and a post-accomplished-transfer adjudication recommendation leaves some of my lands without authorization for irrigation, even though it was the clear intent of the licensing examiner to authorize irrigation.

I have consulted with Bryce Contor of IDWR, who has contacted Harold Jones and Shelley Keen of IDWR. Based on this, I request that licenses 33-07189 and 33-01790 be re-issued as Preliminary Orders, as should have been done when they were originally issued in 1995. This will give me an opportunity to object to the problem that has now become apparent.

I also hereby object to the place of use of the above licenses and petition Idaho Department of Water Resources to reconsider the overlap review. I request that the overlap review be based upon the post-accomplished-transfer Adjudication recommendations.

The following summary and attached maps show the history of the development of this farm and the associated water rights, and the source of the difficulty:

1. License 33-02059 was issued in the 1950's for 225 acres of flood irrigation, as shown on map "A" from the licensing exam. Note that there were 30 acres irrigated in SENW of section 19.

2. In 1977, former owner Lamar Thomas converted to sprinkler irrigation. This conversion resulted in an accomplished transfer and enlargement, with the irrigation of lands shown on map "B." Note that the accomplished transfer reduced irrigation in SENW by about 17 acres even though overall acres were enlarged.
3. In 1989, former owner Bryce Contor filed Adjudication Claim A33-02059 reflecting the accomplished transfer, and Claim A33-10033 reflecting the enlargement. These are also shown by map "B."
4. Because the sprinkler system had a greater diversion rate capacity than the licensed 3.2 cfs, in 1989 Mr. Contor filed for permit 33-07189. The permit was filed for 265 acres on a permissible place of use basis, as shown in map "C." The application clearly indicates that Mr. Contor based his application on the accomplished transfer and enlargement reflected in the Adjudication claims.
5. In 1989, Mr. Contor also applied for permit 33-07190 to irrigate 26 acres in SENW and 3 acres in NESW, as shown in map "D." This is the portion of the farm that was not irrigated by Thomas' 1977 sprinkler system, and not claimed in the Adjudication. It is clear that Mr. Contor also based this application on the post-accomplished-transfer situation.
6. I obtained the farm in 1993.
7. In 1994, Keith Wilson of IDWR performed a licensing exam for 33-07189 and 33-07190. Map "E" clearly shows that he found the entire farm to be irrigated, and his overlap review ("F") shows that his intent was to authorize irrigation of the entire farm.
8. Wilson's overlap review considered the pre-accomplished-transfer place of use for license 33-02059.
9. In 1995, licenses 33-07189 and 33-07190 were issued based on Wilson's recommendations. In reviewing the licenses, I did not understand how they would interface with the Adjudication claims, so I did not object at that time. These were not issued as Preliminary Orders, though they should have been.
10. I recently learned that the 1957 licensing exam for 33-02059 found diversion capacity in excess of the licensed rate. Therefore I have filed Beneficial Use Claim A33-10988 for additional diversion rate on the same permissible place of use which was recommended for claims A33-02059 and A33-10033 (map "B").
11. Last month I received the preliminary recommendations for claims A33-02059 and A33-10033, and have been notified of the preliminary recommendation for A33-10988. These were recommended basically as claimed (map "B"). They reflect the accomplished transfer.

Licenses 33-07189 and 33-07190 do not reflect the accomplished transfer.

As a result, I am left with only 21 acres of authorized place of use in SENW of section 19 (1 acre under 33-07189, 7 acres under 33-07190, and 13 acres recommended under Adjudication claims). The licensing examiner's finding was that 38 acres were irrigated in SENW, and the clear intent of his overlap review was that 38 acres of irrigation be authorized.

12. In the notice of error process, I brought this deficiency to the attention of Adjudication Agent Allen Ruberry, and suggested he change the recommendations to match Wilson's overlap review and restore authorization for irrigation to the entire farm. Mr. Ruberry explained that as of 1987, the "missing" place of use in SENW of section 19 was in fact not irrigated from the well and therefore cannot be recommended in the Adjudication. Mr. Ruberry is correct that this particular field was not irrigated from the well from the 1977 sprinkler conversion until Mr. Contor made changes after obtaining permit 33-07190.
13. My next approach was to consider a transfer of 33-07189 and 33-07190. Mr. Harold Jones informed Mr. Contor that such a transfer could be problematic because it would appear to be an "unstacking" of rights.

From the above, it is clear that Mr. Contor filed the permit applications in good faith, based on his belief that filing the Adjudication claims had dealt with the accomplished transfer. His intent was to obtain authorization to irrigate the entire farm from the well.

The good-faith intent of IDWR was also clearly to authorize irrigation of the entire farm. In 1994 IDWR was operating with a "legal cloud" over the concept of accomplished transfers. Therefore the department reviewed overlaps based upon the pre-accomplished-transfer status of 33-02059.

Because the outcome of the Adjudication will be a partial decree authorizing the post-accomplished-transfer place of use, and the two licenses (not enjoined to the Adjudication) reflect the pre-accomplished-transfer place of use, the unintended outcome will be that I am "short" 17 acres of place of use.

In retrospect, a formal transfer of 33-02059 should have been filed to reflect the accomplished transfer, prior to the examination of 33-07189 and 33-07190. However, Mr. Contor did not realize, nor did IDWR suggest, that this was needed.

Since all parties have acted in good faith, and since the clear intent of all is the same, please consider this petition. This will allow the licenses to be adjusted to dovetail with the Adjudication recommendations and authorize the use that was clearly intended.

I realize and accept that changing these two licenses may result in changes to Adjudication recommendations for combined diversion rates and combined irrigated acres.

The desired outcome for me is authorization to irrigate the entire farm, as recommended by the licensing examiner. The outcome should be:

- 268 acre permissible place of use for 33-02059, 33-07189, 33-10033, and 33-10988, per map "B."
 1. 1952 priority for 3.2 cfs on 225 acres, per 33-02059.
 2. 1957 priority for additional cfs, per 33-10988.
 3. 1977 priority for additional 43 acres, per 33-10033.
 4. License 33-07189 duplicates additional cfs and acres, with priority 1989. While this is a duplicate of Adjudication Claims, I wish to retain the license, as the outcome of the objection process is still uncertain.
- 29 acre place of use for 33-07190 with proportional share of total diversion rate, priority 1989, per map "D."
- Total authorized diversion rate for all rights per system capacity.

I appreciate the willingness of IDWR to consider this situation and explore ways to solve the problem. Please let me know if there is additional information you need to consider or if there is a better way to address these issues.

Thank you,

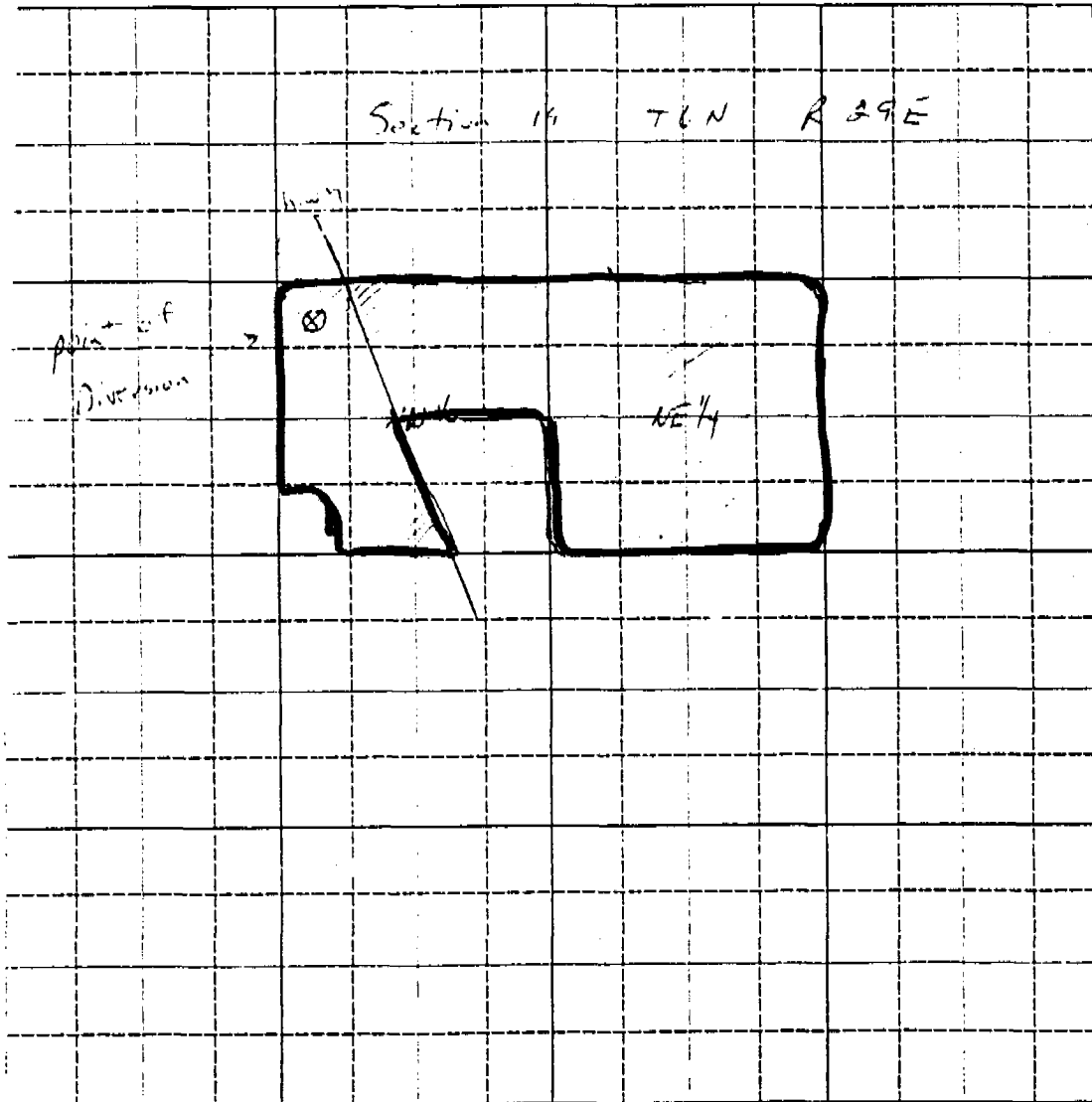


Owen A. Romrell

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: June 1999

M "C" from
application for
permit 33-07189

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



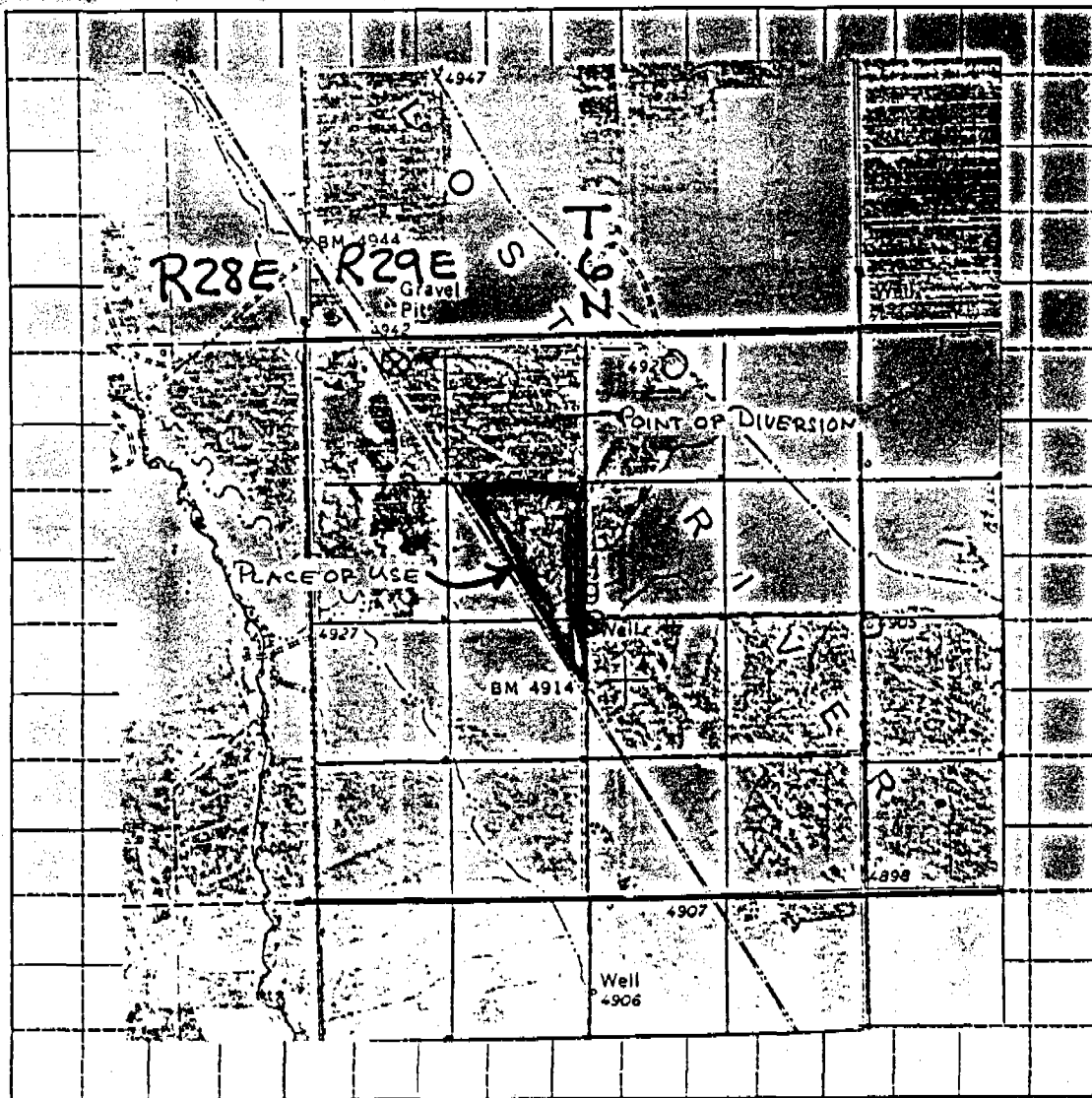
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Byron A. Conlon
(Applicant)
Valerie A. Conlon

Map "D" from
Permit application

33-07190

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

Byron A. Contor
(Applicant)

Map "E", from
1994 licensing exam
33-07189 / 33-07190

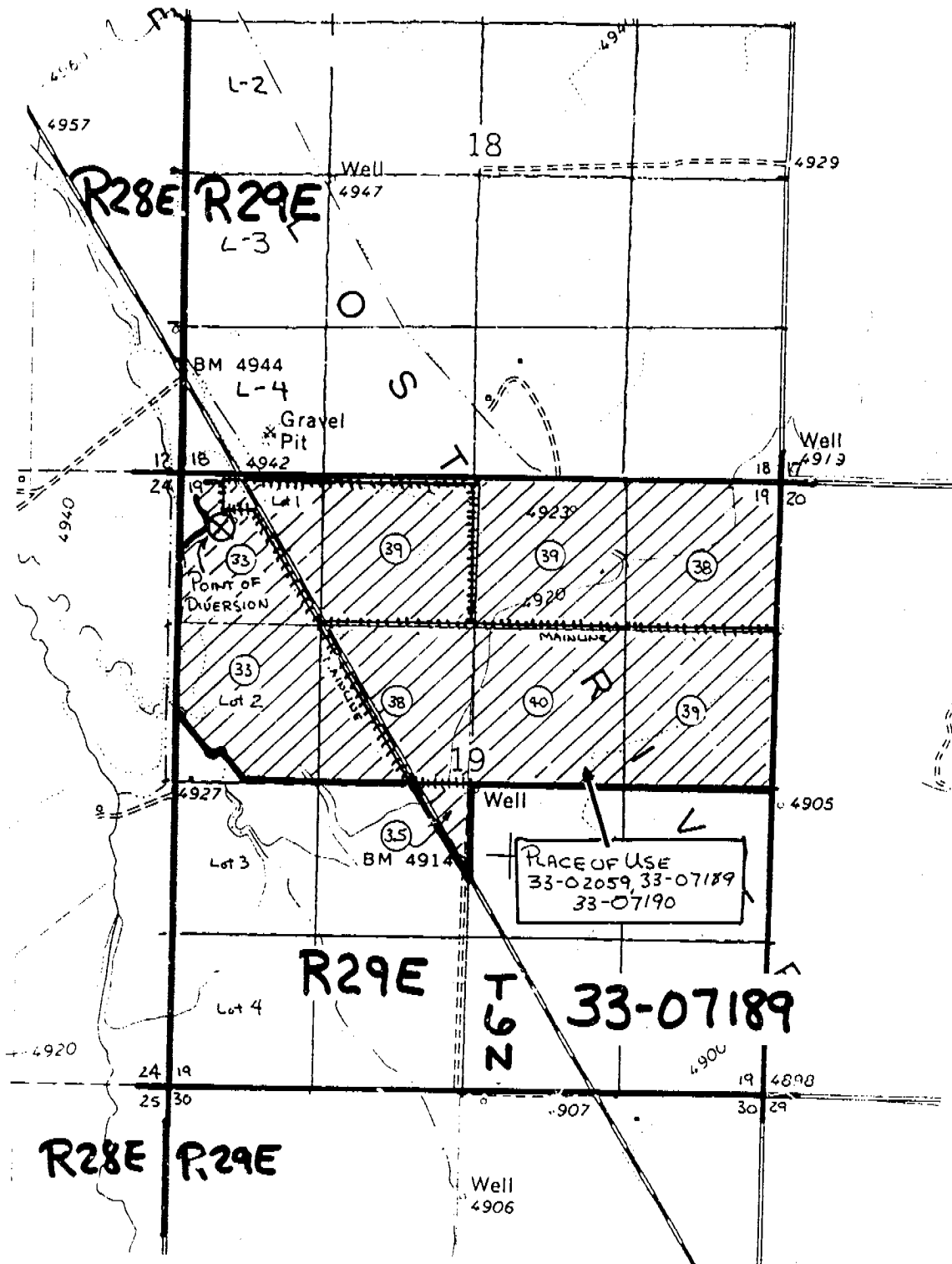


Illustration "F"
 from 1994 licensing exam
 33-07189 and 33-07190

OVERLAP ANALYSIS OF EXAM OF PERMIT NO. 33-07189 and
33-07190

PLACE OF USE				NE				NW				SW				SE				TOTAL
	T	R	S	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	ACRES
Exam Acres	6N	29E	19	38	39	40	39	39	33	33	38	3.5								302.5
LICENSE																				
33-02059				8	22	40	25	40	25	35	30	(@ .014 per acre)								
RECOMMEND																				
33-07189				30	17		14		9		1									
RECOMMEND												7	3.5							
33-07190																				
Total Acres				38	39	40	39	39	33	33	38	3.5								302.5



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

ENERGY RESOURCES BUREAU

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

File A33-10988
Add'l
documentation
of Q Bryce

Mr. Bryce Contor
Rt. 1, Box 58
Howe, ID 83244

Dear Mr. Contor;

Enclosed are copies of the pump tests run by our department. We would be happy to assist in any way we can after your review of the results. If you decide to make energy saving improvements, low interest loans are available through the department. I have enclosed the necessary details.

Hoping you have a profitable irrigation season.

Sincerely,

J. Westra/st

John Westra
Water Resources Eng.
Specialist

JW/st

Encl:

✓

BRYCE CONTOR
RT. 1, BOX 58
HOWE, ID. 83244
523-0561

TEST DATE
8-11-87

SUMMARY:

PUMP #1 : 150 HP JOHNSTON DEEP WELL TURBINE

CONDITION:	1	2	3
SYSTEM: LATERALS	9 1/2	8 1/2	10 1/2
PUMPING WATER LEVEL	:124FT	124FT	124FT
FLOW	:1681.5 GPM	1485.4GPM	1791.0GPM
DISCHARGE PRESSURE	:71 PSI	90.5 PSI	65 PSI
PUMP OUTPUT POWER	:123.1HP	125.7HP	124.8HP
PUMP INPUT POWER	:170.1HP	170.3HP	169.9HP
PUMP EFFICIENCY	:72.4%	73.8%	73.45%
RATING	:EXCELLANT	EXCELLANT	EXCELLANT

3.75 cfs

3.31 cfs

3.997 cfs

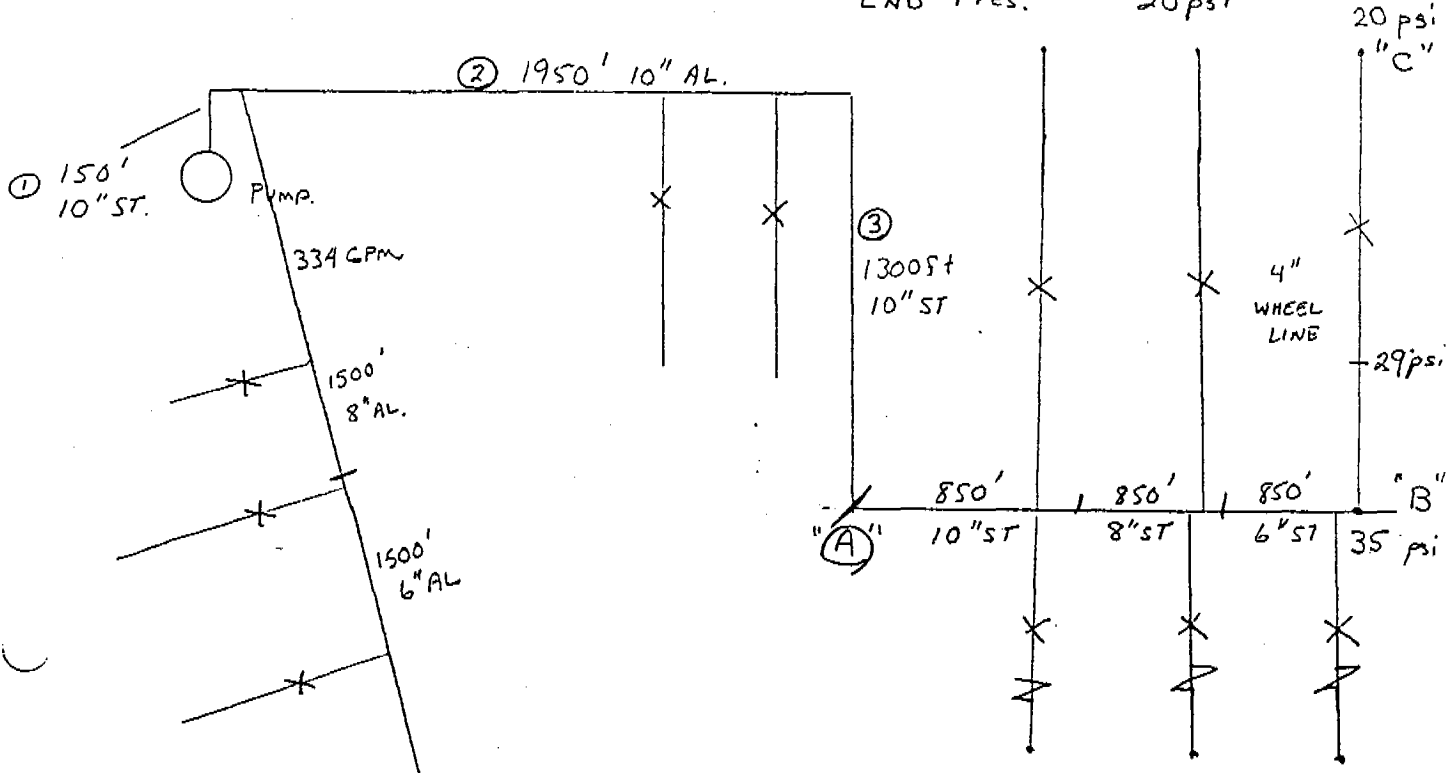
OBSERVATIONS:

AS SHOWN THE PUMP IS OPERATING EXCELLANT IN ALL CONDITIONS.
CONDITION #2, 8 1/2 LINES IS MAXIMUM EFFICIENCY FOR THE PUMPING
PLANT. NO CHANGES WOULD BE RECOMMENDED IN PUMP..

BY J WESTRA	DATE 4-15-88	PROJECT BRYCE CONTOR	SHEET 1 OF 1
CHKD BY	DATE	FEATURE MAINLINE System Sizing	
DETAILS			

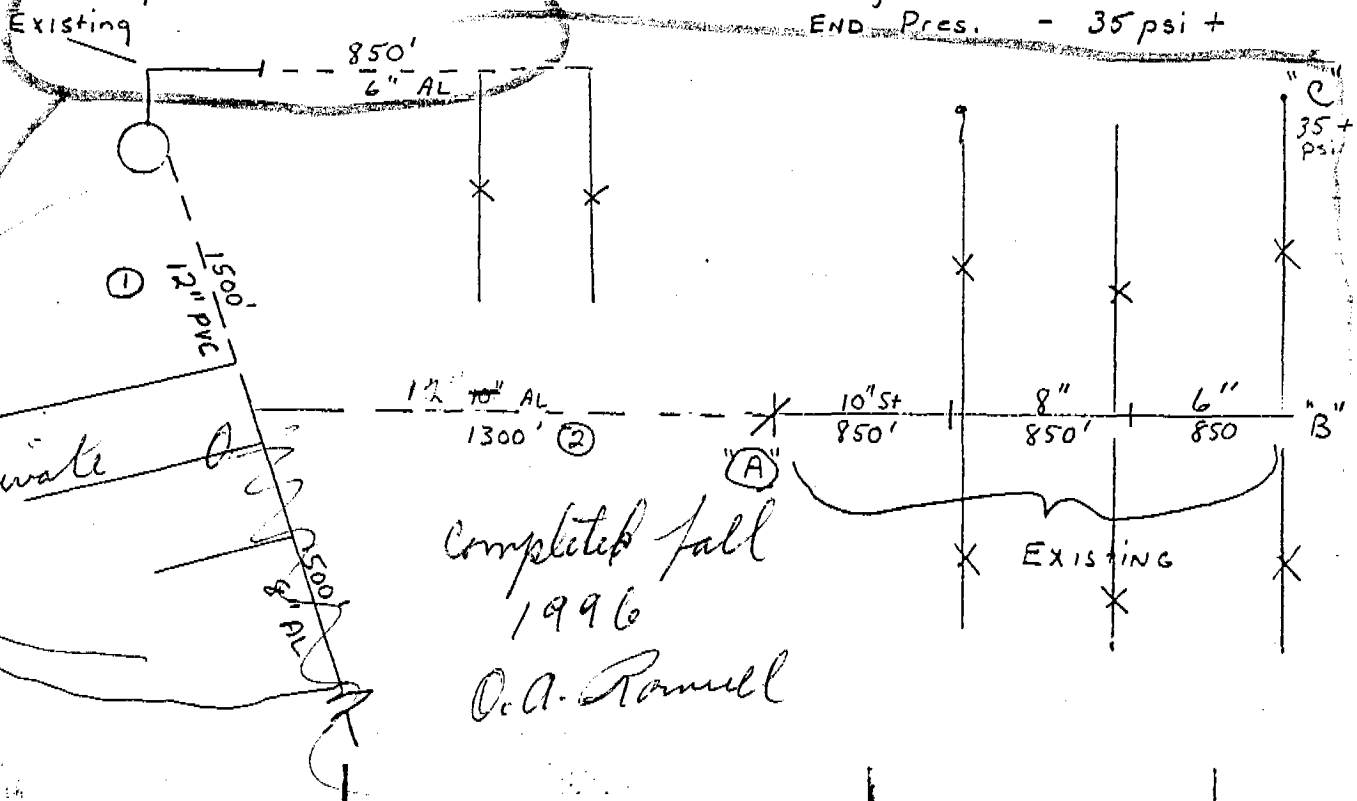
PRESENT CONDITION

LINES 105; Discharge Pres. - 65
END Pres. - 20 psi



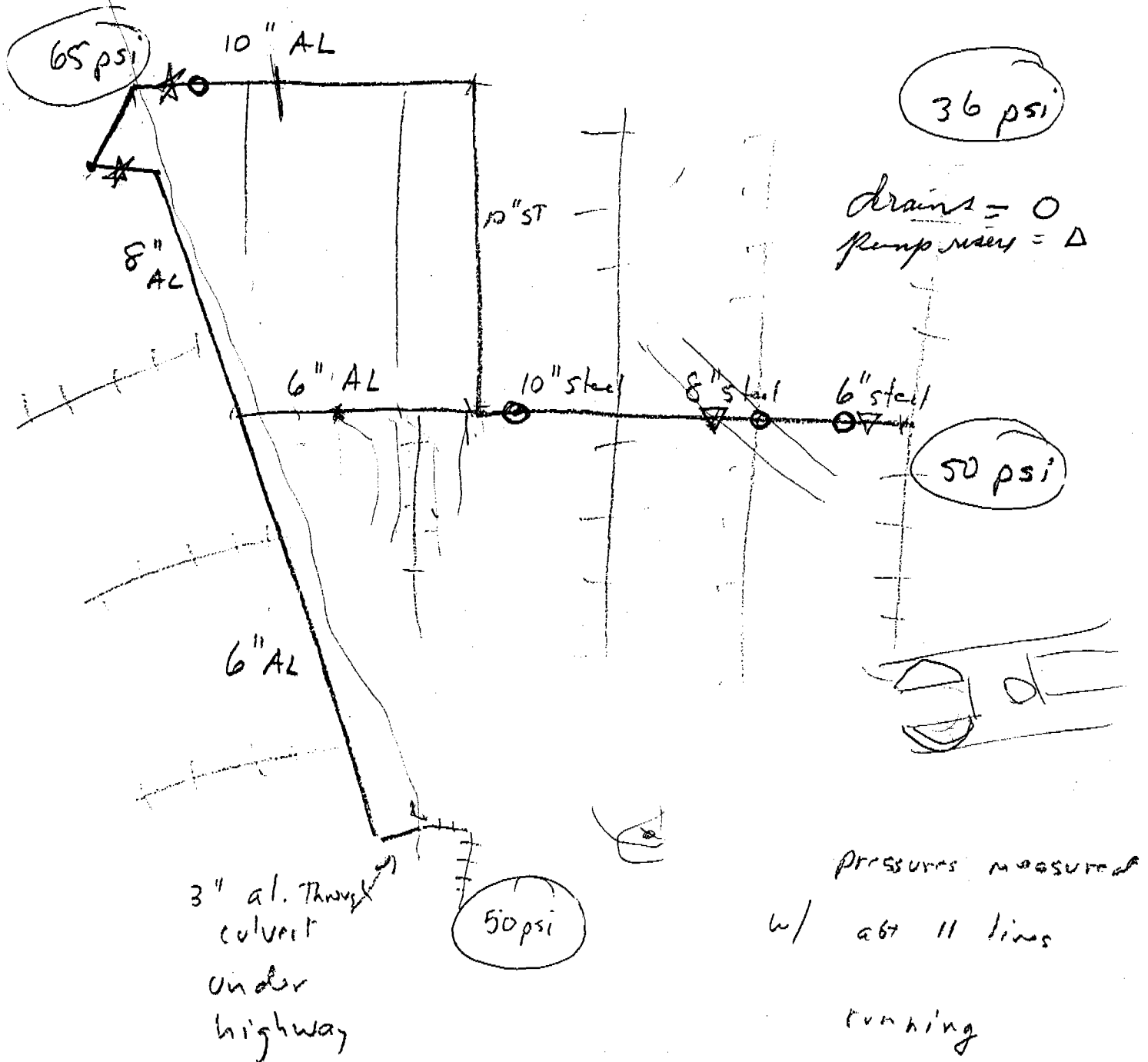
PROPOSED CONDITION

Discharge Pres. -
END Pres. - 35 psi +



Completed fall
1996
O.A. Russell

System as improved spring 1990:



★ There are two "measurement ports" in the mainline for when they test the flow for the permits. one is in the 8" steel just east of the pump. One is in the 10" steel in the borrow pit on the east side of the oil highway ✓

An aerial photograph of a landscape, possibly a coastal or wetland area, with a grid overlay. A central text box contains the text "PERMIT 33-07190" and "PLACE OF USE". A line points from the text box to a specific location on the grid. There are several small circles marked on the grid lines.

PERMIT 33-07190
PLACE OF USE

11 January 1991

Bryce A. Contor
HC 65 Box 1058
Howe, Idaho 83244

Dear Mr. Contor:

Application for permit 33-7190 has been changed, as per your letter dated 9 January 1991, to reflect the change in the point of diversion to the NW1/4NW1/4 Sec 19, T06N, R29E. For your convenience enclosed are copies of two applications (33-7189 & 33-7190) that you have filled.

In your second letter dated 9 January 1991, you requested information on a water right on the W1/2 SE1/4 Sec 22, T06N, R29E, from a well located within the NWSE Sec 22, T06N, R29E. Enclosed is a copy of water right 33-2037 for the above legal description. Water right 33-2037 has not been claimed in the Snake River Adjudication nor has any adjudication claim been filed on this place of use.

The adjudication claim should be filled by the owner of the property; however, if you are in the process of purchasing the property then it would be in your best interest to file the adjudication claim.

I am enclosing check #1069 for \$2.00 because there is no copy charge for copies of your filings.

Sincerely,

Keith C. Wilson
Senior Resource Agent

RECEIVED

JAN 11 1991

9 January 1991
HC 65 Box 1058
Howe, Idaho 83244
767 3203

Department of Water Resources
Eastern District Office

Mr. Kieth Wilson
Idaho Department of Water Resources
150 Shoup Avenue Suite 15
Idaho Falls, Idaho 83401

Dear Mr. Wilson:

On 12 December 1989 you helped me file an application to drill a supplemental well for ground that is already under irrigation. Now it appears that my needs could be met by increasing the flow in an existing well. How would be the best way for me to change the application?

33-7190 The application was receipted under number E011294. It covered 26 acres in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and 3 acres in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 19, T 6 N, R 29 EEM in Basin 33. The ground is irrigated presently with surface water under the Blaine County Canal Company. The additional flow would be diverted from the well covered by license 33-2059.

Please let me know what I need to do. I would be glad to make an appointment to come in if necessary.

Thank you,

Bryce A. Contor
Bryce A. Contor

NOTE: 11 Jan 91

Change Computer
entry for P/D

Kaw

Form 2/95

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
POINT OF DIVERSION OVERLAP REVIEW

FOR INFORMATION ONLY

33-07190**-33-07189**

Permit Number

1. Analysis of Entire System, Current Application Rate per Acre (Q_c):
Limit to 0.02 cfs/ac, Permitted Amount, or System Capacity, WHICHEVER IS LESS.

A. Total Number of Acres irrigated = 304.5 acresB. Total Diversion Rate = 3.45 cfs Q_c = Total Diversion rate (1.B)/Total irrigated acres (1.A) = Current Diversion Rate

$$Q_c = \frac{3.45 \text{ cfs}}{302.5 \text{ acres}} = Q_c = \underline{0.011404} \text{ cfs/ac}$$

2. Old Application Rate per Acre = (Q_o) from Licensed Flow Rates:

License # 33-02059 @ 3.20 cfs / 225 ac

License # _____ @ _____ cfs / _____ ac

License # _____ @ _____ cfs / _____ ac

$$Q_o = \text{Total Lic. Rate} = \frac{3.20 \text{ cfs}}{225 \text{ ac}} = Q_o = \underline{0.014222} \text{ cfs/ac}$$

[Old Diversion Rate(Q_o) = Licensed Flow Rate/# acres]

3. Comparison of Diversion Rates if:

A. $Q_o > Q_c$: $Q_o(\#2) = \underline{0.014222} \text{ cfs/ac} > Q_c(\#1) = \underline{0.011404} \text{ cfs/ac}$
[Old Diversion Rate(Q_o) > New Diversion Rate(Q_c)]

EXCLUDE LICENSED LANDS . . . GO TO ITEM #4A

B. $Q_c > Q_o$: $Q_c(\#1) = \underline{\hspace{2cm}} \text{ cfs/ac} > Q_o(\#2) = \underline{\hspace{2cm}} \text{ cfs/ac}$
[New Diversion Rate(Q_c) > Old Diversion Rate(Q_o)]

INCLUDE LICENSED LANDS . . . CONTINUE TO ITEM #3.B.1 & 2

1. Additional Flow Rate for Licensed Lands. $Q_a = (Q_c - Q_o) \times (\# \text{ Lic. Ac.})$

$$Q_a = ((\underline{\hspace{2cm}} \text{ cfs/ac}) - (\underline{\hspace{2cm}} \text{ cfs/ac})) \times (\underline{\hspace{2cm}} \text{ acres}) = Q_a = \underline{\hspace{2cm}} \text{ cfs}$$

2. Flow Rate New Acreage. Total Ac. (#1.A) - Lic. Ac. (#2) = New Acres

$$Q_n = (Q_c) \times (\# \text{ New Ac.}) = (\underline{\hspace{2cm}}) \times (\underline{\hspace{2cm}}) = \underline{\hspace{2cm}} \text{ cfs}$$

$$Q_n = (\underline{\hspace{2cm}} \text{ cfs/ac}) \times (\underline{\hspace{2cm}} \text{ ac}) = Q_n = \underline{\hspace{2cm}} \text{ cfs}$$

GO TO ITEM #4B.

4. Calculate Total Flow Rate to be licensed:

A. Rate EXCLUDING Licensed land. Total Ac. (#1.A) - Lic. Ac. (#2) = New Ac. *

$$(\underline{302.5}) - (\underline{225}) = \underline{77.5}^* \text{ ac}$$

$$Q_t = Q_c(\#1) \times (\# \text{ New Acres}) = \underline{0.011404} \text{ cfs/ac} \times \underline{70} \text{ ac} = \underline{0.80} \text{ cfs}$$

CONDITIONS/REMARKS: *at current rate of diversion only 70 acres can be licensed as
permit is for only 0.80 cfs (0.80 cfs / 0.011404 cfs/ac = 70 ac) / 70 ac x 0.011404 cfs/ac = 0.80 cfs (0.80 cfs)

- B. Flow Rate INCLUDING licensed land.

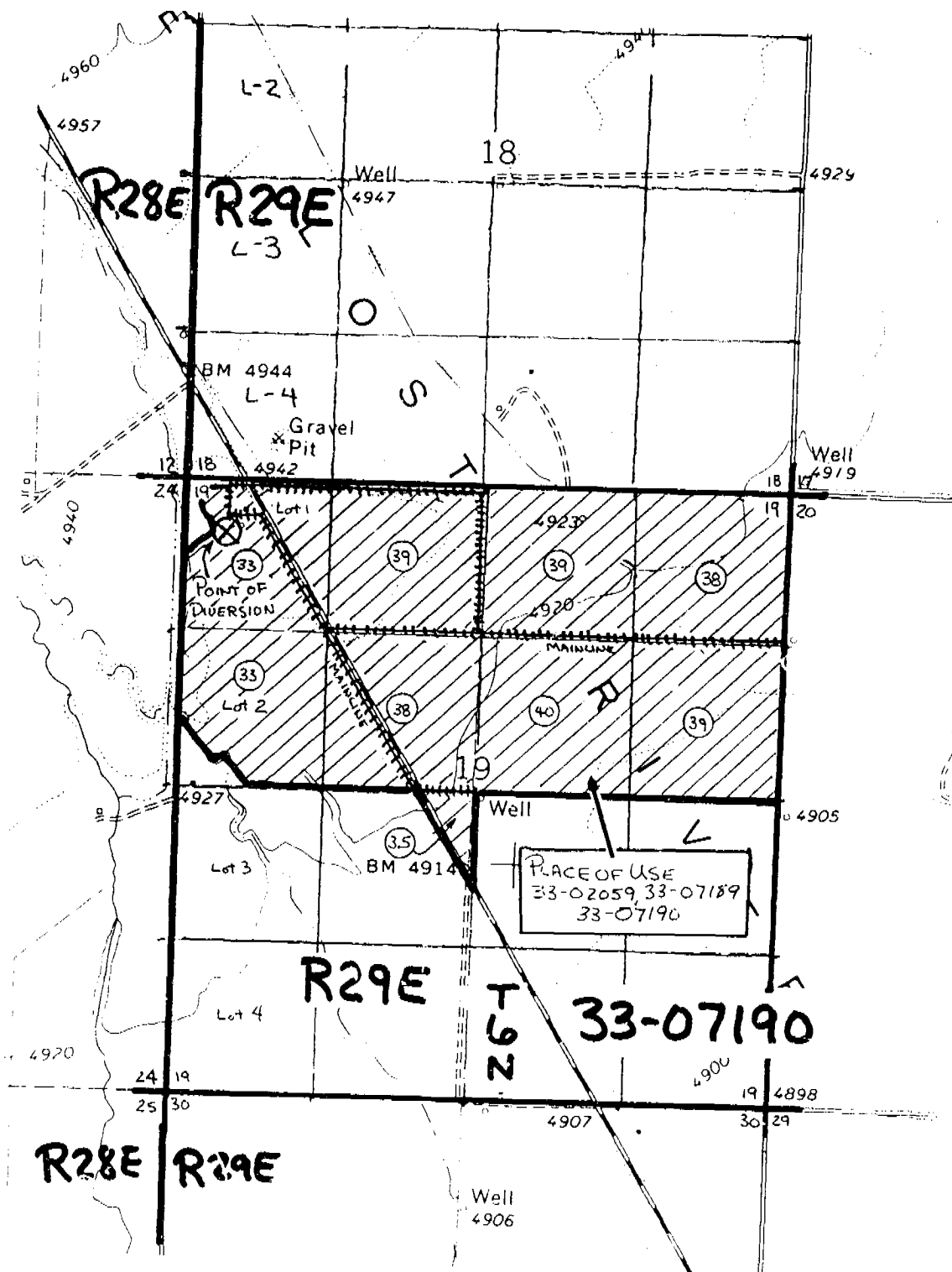
$$Q_t = Q_a(\#3.B.1) + Q_n(\#3.B.2) = \underline{\hspace{2cm}} \text{ cfs} + \underline{\hspace{2cm}} \text{ cfs}$$

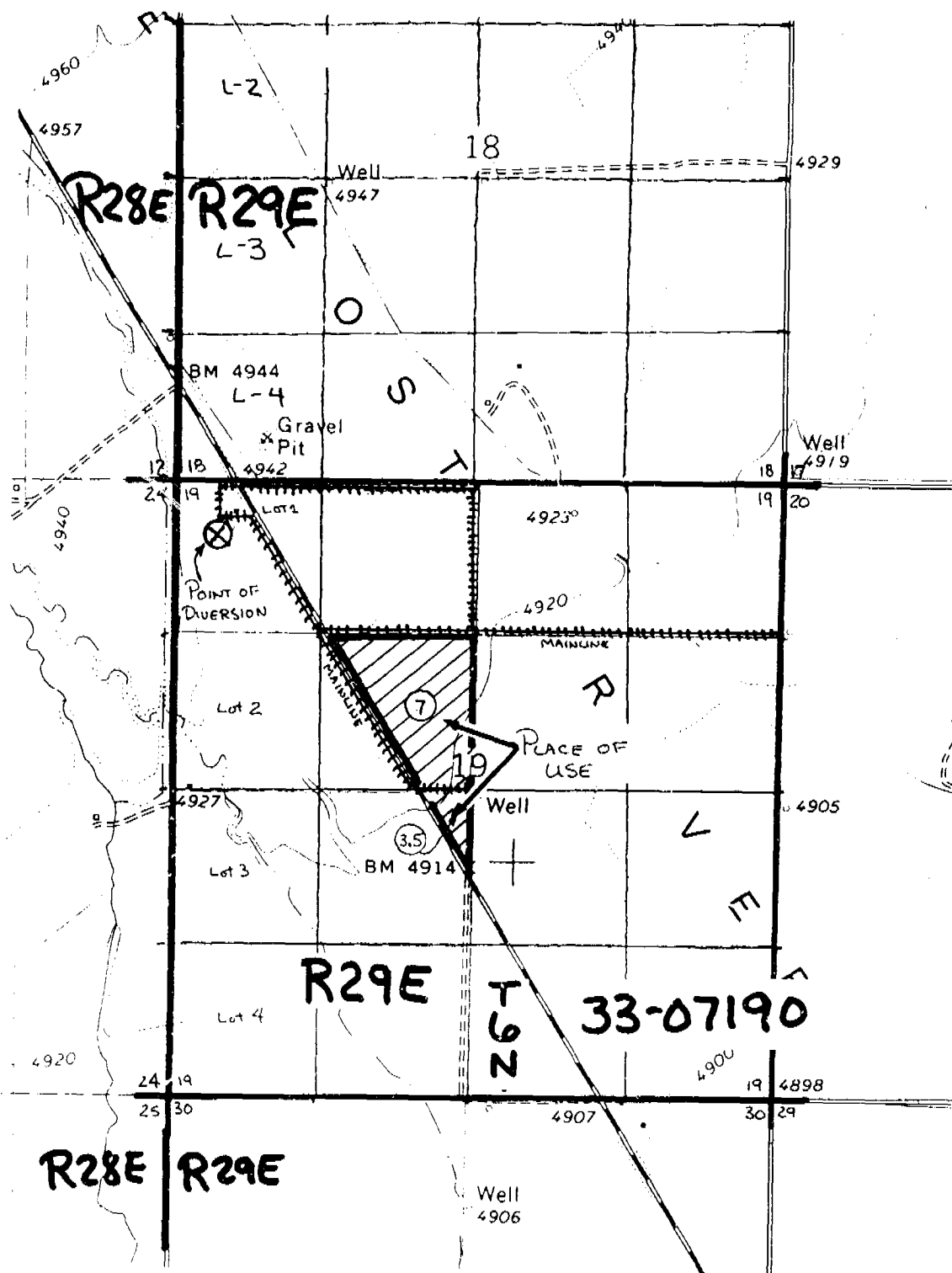
CONDITIONS/REMARKS: _____

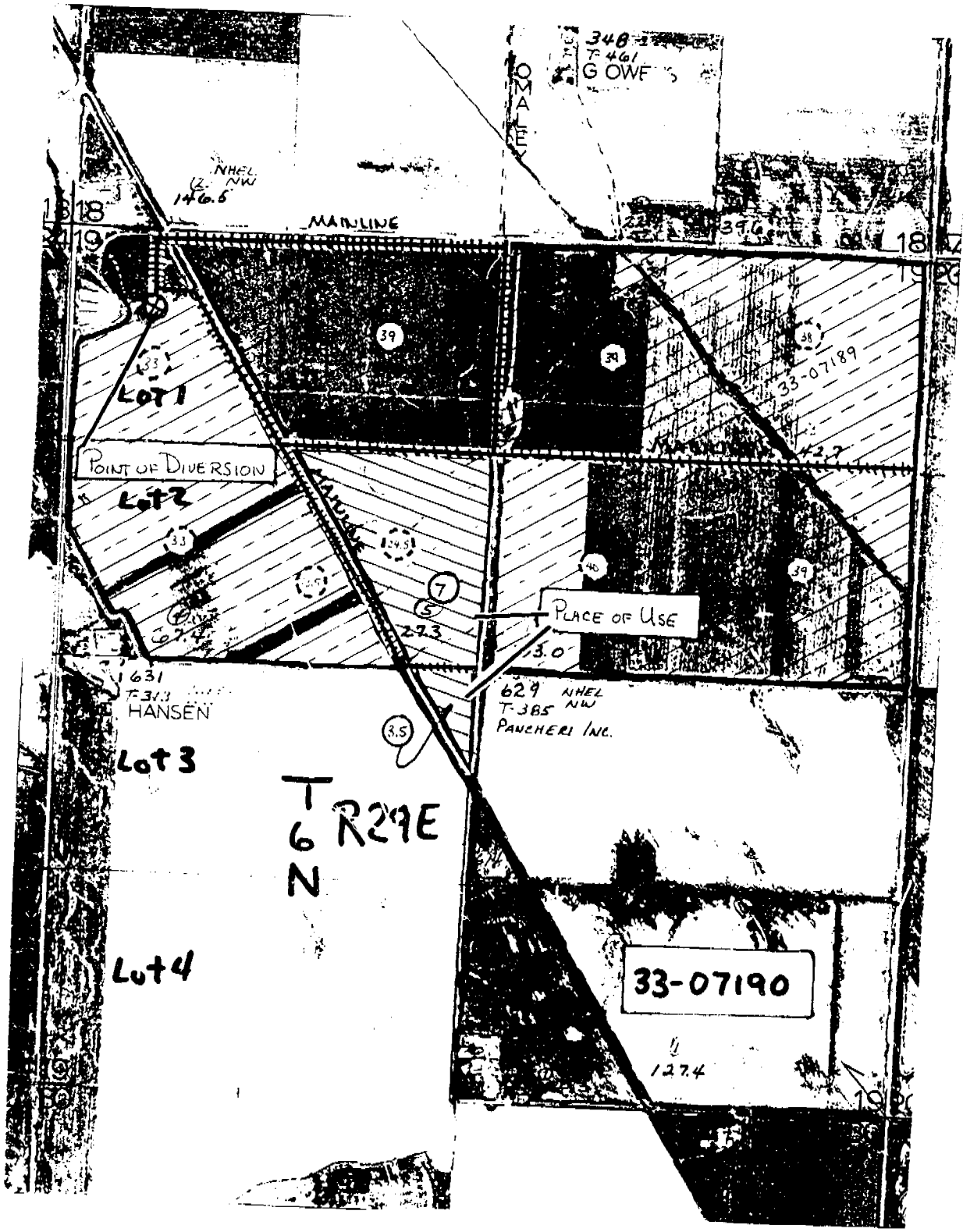
COPY FOR EXAM ON

33-07190

CONDITION
ONLY FOR
33-7189







OVERLAP ANALYSIS OF EXAM OF PERMIT NO. 33-07189 and
33-07190

PLACE OF USE				NE				NW				SW				SE				TOTAL
	T	R	S	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	ACRES
Exam Acres	6N	29E	19	38	39	40	34	39	33	33	38	3.5								302.5
LICENSE 33-02059				8	22	40	25	40	25	35	30	@ .014 per acre								
RECOMMEND 33-07189				30	17		14		5		1									
RECOMMEND 33-07190											7	3.5								
Total Acres				38	39	40	39	39	33	33	38	3.5								302.5

M E M O R A N D U M

DATE: June 28, 1995

TO: Norma Young

FROM: Shelley W. Keen *(SK)*

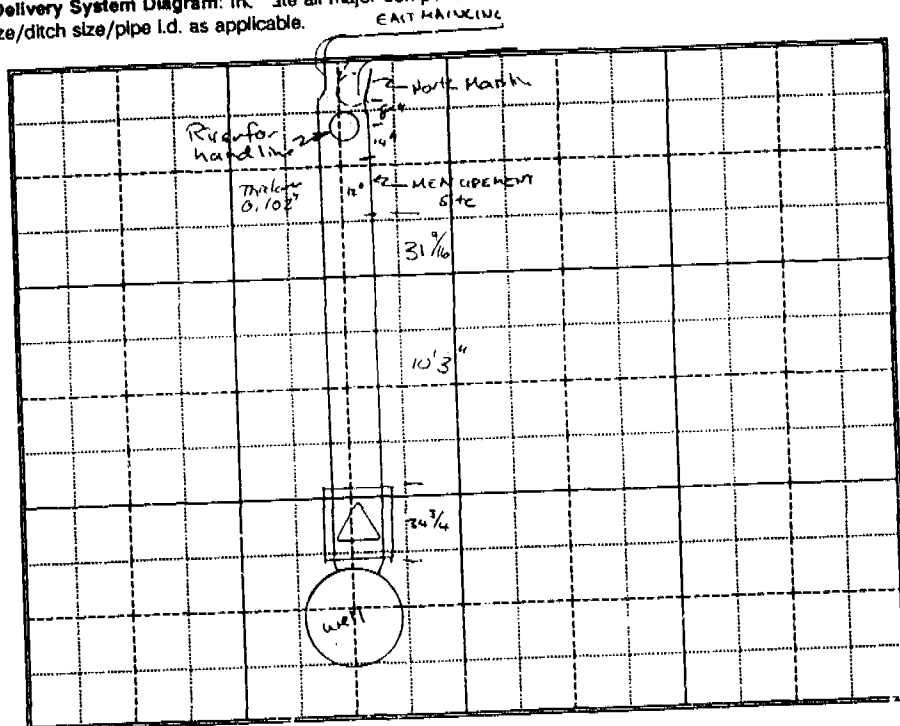
RE: POU overlap for rights 33-07189 and 33-07190

=====

These files give a strong indication that the place of use has historically been irrigated from surface water (see the response to our trust water questionnaire). However, when Al Ruberry and I were mapping the Blaine County Canal service area last summer as part of our SRBA review of the area, we found that canal water is not used on this farm and has not been for a few years. I talked with Al today, and he said he currently does not intend to recommend this farm as part of the Blaine County Canal POU. Therefore, we have not included the supplemental groundwater conditions on 33-07189 and 33-07190.

[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 Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Pump B	US Electric	150	K6350-01-809 R6135 X 678	Johnston	11 1/2" discharge

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

D. FLOW MEASUREMENTS

1. *Polysonic*

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: 66 psi

E. NARRATIVE/REMARKS/COMMENTS

well pump mainline to hard line & 10 wheel line

1 line 1/4"

Remains 5/32"

No surface water used on place of our according to permit holder son
and according to Allen Ruberg (his self) no surface water gets to place
of use.

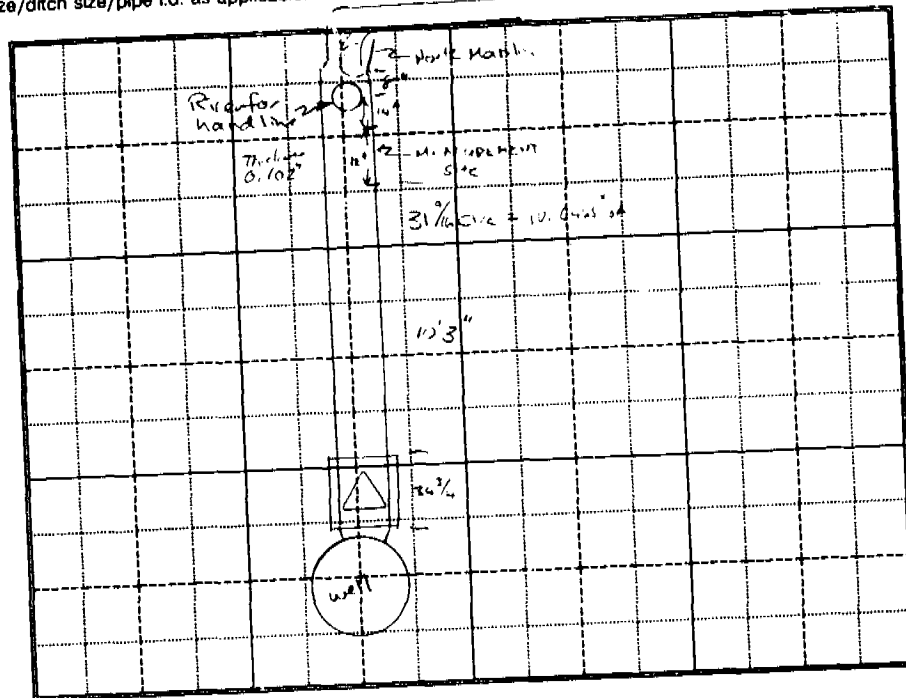
This exam done in conjunction with 33-07189
This exam done in conjunction with this permit at the
system capacity is the limiting factor for this permit at the
current diversion rate (0.01194 cfs) only those lands not covered
by Lic 33-02059 and Permit 33-07189 can be covered by
this permit. The remaining acres are for 10.5 ac x 0.01194 cfs
this equals 0.1194 cfs or 0.12 cfs. (See attached copy of Point of diversion
overlap analysis for Permit 33-07189)

THIS RIGHT IN CONJUNCTION WITH 33-02059 &
33-07189 SHALL NOT EXCEED 3.45 cfs or 3.5 cfs

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

[illegible]

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir 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 Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Pump 8	US Electric	150	K6357-01-8049 RE135 X 670	Johnston	1 1/2" discharge

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

D. FLOW MEASUREMENTS

1. Polysonic

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: 66 psi

E. NARRATIVE/REMARKS/COMMENTS

well pump mainline to hand lines & 10 wheel lines

1 line $\frac{1}{64}$

Remainder $\frac{1}{32}$

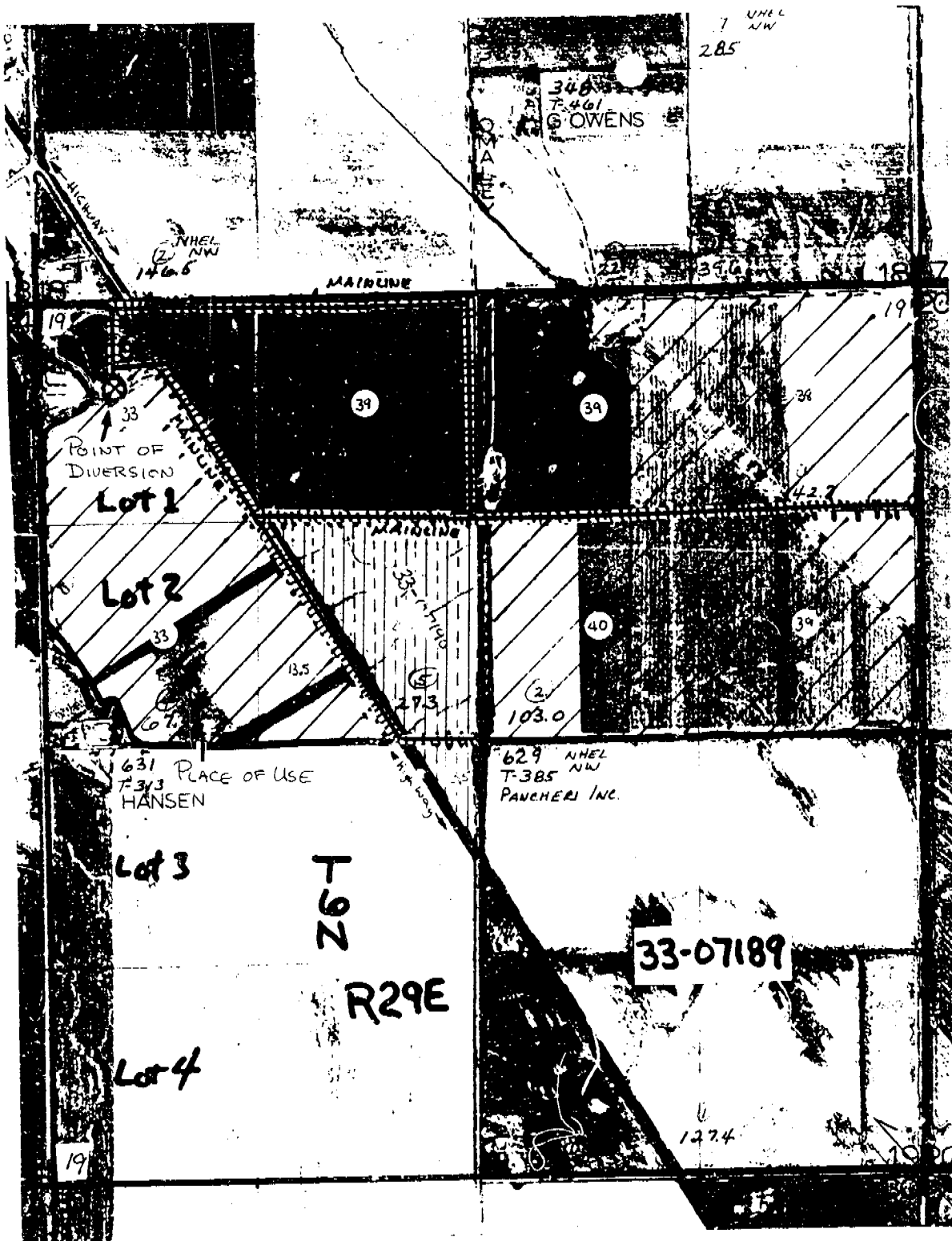
* No surface water used on place of use according to permit holder's son
well log in immediate area shows static H₂O @ 104' (That well is only 140 ft
deep recommend a relative small assumed drawdown of 10 ft)

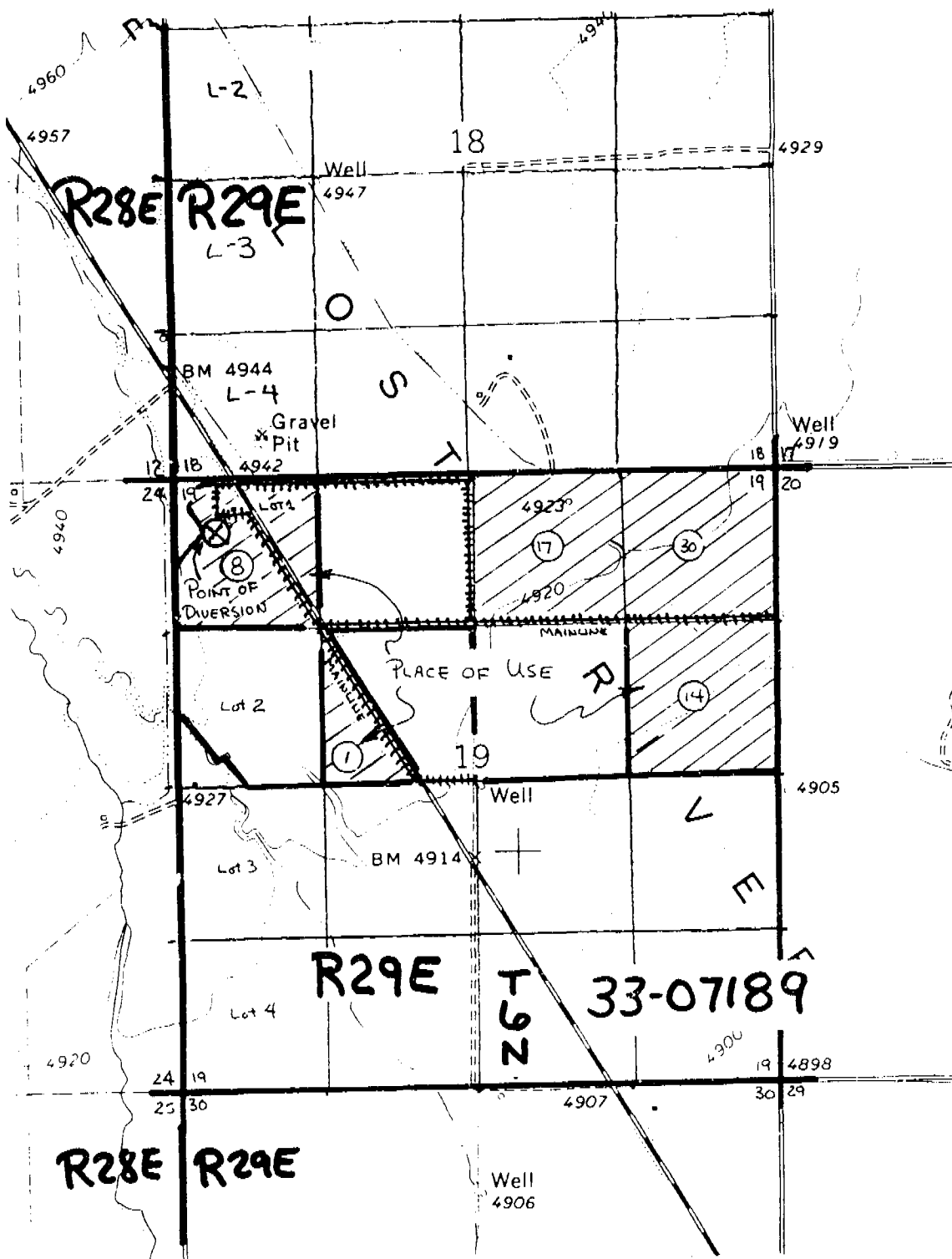
* According to Adjudication staff (Alan Puberty), no surface water gets
to place of use

NOTE: Because this permit is limited to 0.80 cfs only 70 acres can
be licensed under this permit at the current rate per acre
rate (ie. $0.80 \text{ cfs} / 0.011404 \text{ cfs/ac} = 70 \text{ ac}$)

THIS RIGHT IN COMBINATION WITH 33-02059 &
33-07190 SHALL NOT EXCEED 3.45 cfs or 3.5 cfs

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





MEMORANDUM

DATE: June 28, 1995

TO: Norm Young

FROM: Shelley W. Keen *SWK*

RE: POU overlap for rights 33-07189 and 33-07190

=====

These files give a strong indication that the place of use has historically been irrigated from surface water (see the response to our trust water questionnaire). However, when Al Ruberry and I were mapping the Blaine County Canal service area last summer as part of our SRBA review of the area, we found that canal water is not used on this farm and has not been for a few years. I talked with Al today, and he said he currently does not intend to recommend this farm as part of the Blaine County Canal POU. Therefore, we have not included the supplemental groundwater conditions on 33-07189 and 33-07190.

State of Idaho License and Confirmation of Water Right

I, State Reclamation Engineer, do hereby certify that the right to the use of the water of the tributary of subterranean surface of the right to use the water of well under Use Permit No. 11-22774 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 10 Commenced at page 6155 on the 23 day of October, 1957.

The right hereby confirmed dates from May 16, 1952.
The Point of Diversion is located in the NW 1/4 Sec 19 T. 6 N. R. 23 E. B. 10 County Butte.

That the amount of water to which such right is entitled and hereby confirmed, for the purpose aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.5 cubic feet per second.

Description and location of use:

Tract	Range	Sec	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
NE 1/4	23 E.	19	NE 1/4 NE 1/4	40	8
			NW 1/4 NE 1/4	40	22
			SE 1/4 NE 1/4	40	10
			SW 1/4 NE 1/4	40	25
			NE 1/4 NW 1/4	40	40
			NW 1/4 NW 1/4	40	25
			SW 1/4 NW 1/4	40	35
			SE 1/4 NW 1/4	40	30
Total number of acres irrigated				- - - 225	

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 23rd day of October, 1957.

(SEAL)

/s/ Mark R. Kulp
State Reclamation Engineer.

33 2059

15

1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 26

of the State of Idaho; and

to completion.

IN THE MALE BN or before May 23, 1957.

WALK & BULF

State Department, Washington

GOVERNOR of the State of New York

25

STATE OF IDAHO

Glucert

NE **MA** **SW** **SE**

and to continue diligently and unintermittingly to improve the condition of the poor, and to continue to extend the same to the poor of the world.

business temporarily interrupted by circumstances over which the plaintiff employer has no control. The whole of the work above specified is to be completed on or before November 25, 1914.

Witness my hand this 23rd day of May, 1902

1990

IN TESTIMONY WHEREOF, We

DAVID L. H. MASTER

15-11-1951

Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed this _____ day of _____, 19____.

Countersigned:

INVEST

By **IRA H. MASTERS**

Secretary of State.

By _____

Index

STATE OF IDAHO

Range	Sec	NE 1/4	SW 1/4	SE 1/4	Total
19	NE 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	

APPLICATION FOR AFFIDAVIT
TO PROTECT AFFIDAVIT FOR PROTECT AFFIDAVIT
OF THE STATE OF TEXAS, IN 1907.

James H. Henson, and represents to the State Reclamation Engineer of the State of Idaho, that the said lands to be irrigated by the public waters of the State of Idaho, are situated in Section 19, T 6 N - R 29 E, B.M., making a total of 320 acres. That in addition to the said lands, there are other lands in the same section, and that the rights of others will not be adversely affected by such change.

Signed at Boise, Idaho this 15th day of November 1906,

Used of receipt at office of Department of Education, November 15, 1956.

APPROVAL OF STATE PROSECUTION REQUIRED

approval of the State Reclamation Engineer of the State of Idaho, hereby approves the proposed application for amendment to permit to appropriate the public waters of the State of Idaho, in which it becomes a part, and said application is approved only insofar as the rights of others are not thereby affected thereby.

State Vaccination Unit of
State H. H. H.

Twp. 10 N. Rge. 6 E. S. 10, R.M. County of Butte

Water is to be used for: irrigation and domestic purposes

If for municipal industrial or recreational purposes, give:

(a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.

Rge. , R.M.

(b) Waste water or sewage effluent is to be returned to

at a point in the 1/4 of the 1/4 of Section , Twp.

R.M.

Kind of work: well, pump and other

Estimated cost of work: \$ 10,000.00

(a) Is reservoir to be used?

(b) Capacity of reservoir:

The fee required for the completion of such work and complete application of the water to the proposed use is five (5) years.

If applicant is a corporation, give:

1 (a) Date and place of incorporation:

(b) Amount of capital stock: \$

(c) Names and addresses of directors:

(c) Amount paid in: \$

2 The financial resources of the applicant are (a) Cash on hand: \$

(b) Treasury stock

(c) Bonds to be issued:

(d) Other resources:

The land to be irrigated is described in the following tabulation:

3 Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: At present has a water right

(a) cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplied to the existing water rights.

(b) cubic feet per second, inches or gallons per minute) is for new lands.

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 30522
Permit No. G- 22774
District No.

1. Name of Applicant: W. H. H. H. H.

Postoffice address: Howe

County: Butte

State: Idaho

2. Quantity of water claimed:

(a) Rate of withdrawal in cubic feet per second. 3.2 or Idaho
inches 100 or gallons per minute.

(b) Annual withdrawal in acre feet per annum

3. Source of water supply: Subterranean flow from a well

4. Location of point of diversion or well is in the NW 1/4 of Section 19
Twp. 1 N., Rge. 20 E., R. M., County of Butte

5. Water is to be used for: Irrigation and domestic purposes

6. If for municipal, industrial or recreational purposes, give:

(a) Point of use of water is in the 1/4 of the 1/4 of Section 19
Rge. 20 E., R. M., Twp.

(b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section 19
Rge. 20 E., R. M., Twp.

7. Kind of works: Well, pump and ditch

8. Estimated cost of works: \$ 10,000.00

9. Is reservoir to be used?

(b) Capacity of reservoir:

10. Fee required for the completion of such work and complete application of the water to the proposed use is five (5)

11. Applicant is a corporation, partnership or other legal entity?

25	90	22
35	70	40
19	25	

T
6
N

Irrigated area - 286 Acres as shown on map.				
---	--	--	--	--

[illegible]

Condition of flow full 10" pipe - moderate velocity

22774

DEPARTMENT OF RECLAMATION

REPORT OF ENGINEER

On August 17, 1957, the following was observed at the site of the proposed project:

Water level of the stream was observed to be at the same level as the proposed project.

Under cultivation of each forty-acre tract. (Describe map and place in map.)

225 acres in the N. of Sec. 10, T. 10 N., R. 23 E., S. 1.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks:

This examination was made on the 17th day of Aug. 1957

(Signed) [Signature]

Form 202
6/85

STATE OF IDAHO

Ident. No. 33 7190

DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Bryce A. or Valene R. Contor Phone 767-3203
Post office address HC 65 Box 1058 Howe, Id 83244
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is _____ $\frac{1}{4}$ of NW $\frac{1}{4}$ $\frac{1}{4}$ of NW $\frac{1}{4}$ Govt. Lot _____
Sec. 19 Township 6N Range 29E B.M. Butte County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.58 for Irrigation 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) 0.58 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Well pump mainline to lateral with sprinkler
 - 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 150 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 3 years (minimum 1 year).

* Changes as per letter dtd 9Jan 1991 - KCW

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.	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	
6N	29E	19							26	3									29

Total number of acres to be irrigated 29

10. Describe any other water rights used for the same purposes as described above. Share Blaine County Canal

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: This is a supplemental water right filing

* P/D same as for 33-2059

* Change as per letter dtd 9 Jan 1991 - KCW

An aerial photograph of a landscape, possibly a construction site or a rural area. A road or path runs diagonally across the frame. In the upper right, there is a building with a flat roof. The terrain is uneven with some vegetation and bare ground. Several small white circles are marked on the image, likely indicating specific points of interest or survey points. A speech bubble points to a specific location on the road.

PERMIT 33-07190
PLACE OF USE

33-7189

Ident. No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant _____ Phone _____
Post office address _____
2. Source of water supply groundwater which is a tributary of USA
3. Location of point of diversion is 1/4 $\frac{1}{4}$ of 1/4 $\frac{1}{4}$ of 1/4 $\frac{1}{4}$ Govt. Lot _____
Sec. 19 Township 6N Range 20E B.M. 70110 County; additional
points of diversion if any: none
4. Water will be used for the following purposes:
Amount 0.8 for irrigation purposes from Apr 1 to May 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) 0.8 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Additional flow from existing well

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.
Existing see remarks
c. Proposed well diameter is _____ inches; existing proposed depth of well is _____ 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
1 yr 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.

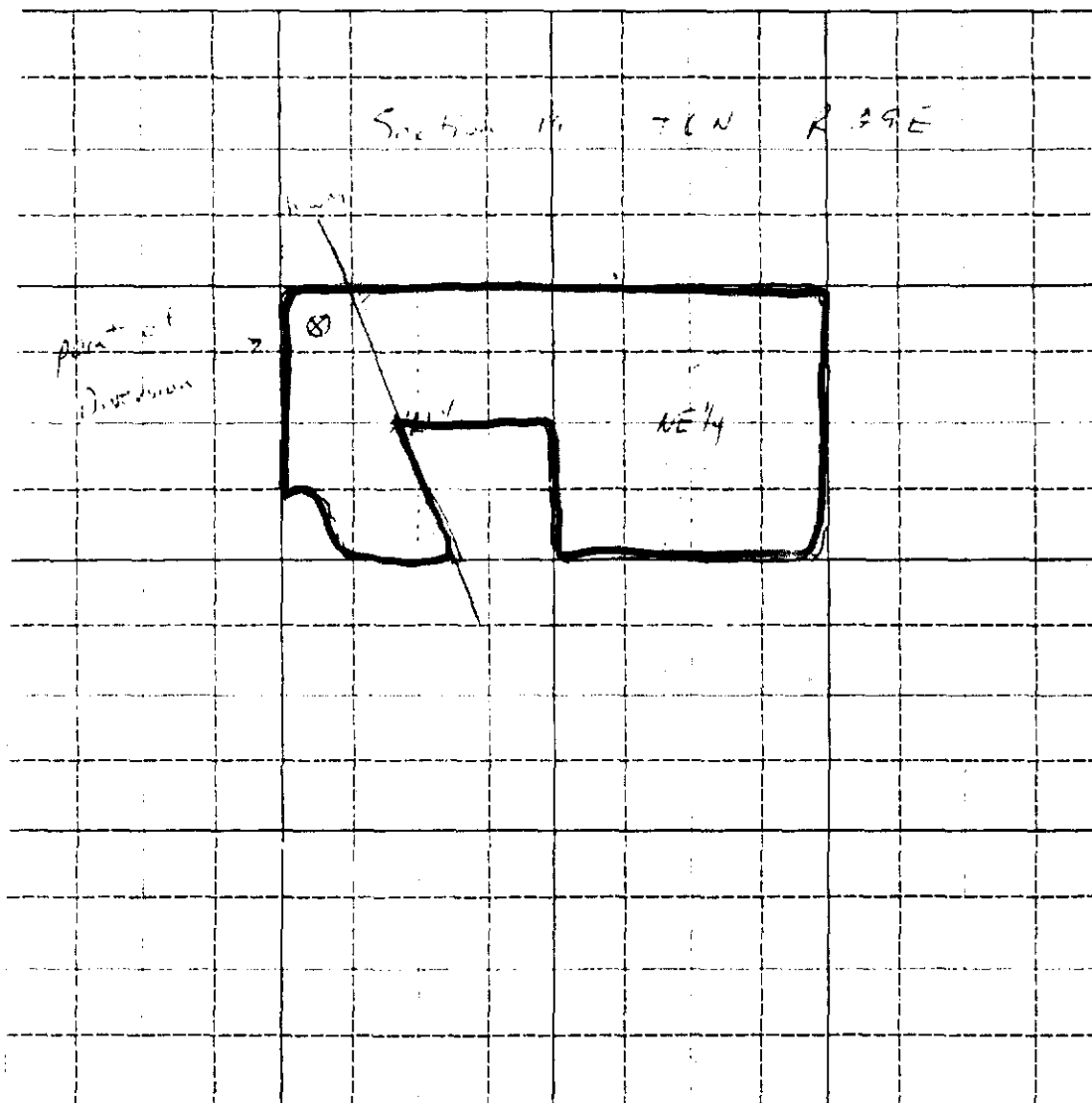
[illegible]

Total number of acres to be irrigated 265

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? State of California, Governor
b. Who owns the land to be irrigated or place of use? State of California, Governor
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. None

12. Remarks: Supplemental to license # G-22771/33-2859
to locate the same gravel pit
existing well. existing well is approx 30 inches in diameter for 75
feet to 100 feet, for 10 or 12 inches for another 75 to 100 feet.

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Wayne A. Cantor
(Applicant)
Tolson J. Cantor

Received by _____ Date _____ Time _____ Preliminary check by _____
Fee \$ _____ Received by HUT # E009673 Date 7-31-87
Publication prepared by _____ Date _____ Published in _____
Publication approved [Signature] Date 4-2-88

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS

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

c. 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

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 33-07189

Proposed Priority: July 31, 1989 Maximum Diversion Rate: 0.80 CFS
This is to certify, that **BRUCE A. CONTOR**
VALENE R. CONTOR
HC 65 BOX 1058
HOWE, ID 83244

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE **PERIOD OF USE** **RATE OF DIVERSION**

IRRIGATION 04/01 to 11/01 0.80 CFS

LOCATION OF POINT(S) OF DIVERSION: **MMMM** Sec. 19, Township 06N, Range 29E
BUTE County

PLACE OF USE: IRRIGATION **ACRES** **ACRES** **ACRES** **TOTAL**

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
06N	29E	19	NEWE 38	NWNE 38	SWNE 38	
			SENE 38	NENW 38	MMNW 35	
			SESW 30	SESW 10		265

Total number of acres irrigated: 265

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 1992.
2. Subject to all prior water rights.
3. A flow measurement port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
4. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
6. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
8. The rate of diversion of water for irrigation under this permit 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. 33-07189

CONDITIONS/REMARKS:

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

8 day of

May

1991

R. Keith Higginson, Director

for

8

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 33-07190

Proposed Priority: December 12, 1989 Maximum Diversion Rate: 0.58 CFS

This is to certify, that VALENE R. CONTOR
BRYCE A. CONTOR
HC 65 BOX 1058
HOWE, ID 83244

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	04/01 to 11/01	0.58 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: N&W Sec. 19, Township 06N, Range 29E
BUTTE 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>
06N	29E	19	SEW 26	NESW 3		29

Total number of acres irrigated: 29

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 3, 1993.
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. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
6. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
8. The rate of diversion of water for irrigation under this permit 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

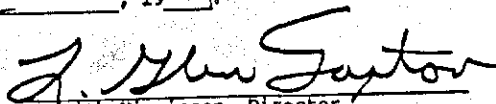
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 33-07190

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

8th day of May, 1991

for 
R. Keith Higginson, Director

JUN 01 1999

Department of Water Resources
Eastern Region

THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A33-10033
Date Received: 12/12/1989
Receipt No: E011294
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: OWEN ROMRELL
Address: HC 65 BOX 58
HOWE ID 83244 208-767-3478

2. Date of Priority: AUG 23, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	29E	19	NW	NW		1	BUTTE

5. Description of diverting works:
WELL PUMP MAINLINE TO LATERALS WITH SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.610		

7. Total Quantity Appropriated is:
0.610 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	29E	19	NE	NE		IRR	30.0
			NW	NE		IRR	10.0
			SW	NW		IRR	3.0

Section Acres 43.0

JUN 01 1999

Department of Water Resources
Eastern Region

10. Place of Use: Continued

Total Acres 43.0

11. Place of use in counties: BUTTE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
SHARES BLAINE COUNTY CANAL

14. Remarks:

THIS RIGHT IS AN ENLARGEMENT OF 33-02059.

AMENDED TO ADD AN ADDITIONAL 3 ACRES IN THE SWNW SEC. 19.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

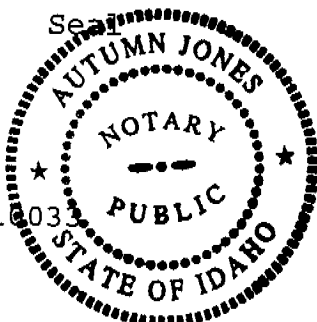
Signature of Claimant(s): Quen P. Tarnell Date: 6/1/99

Date: _____

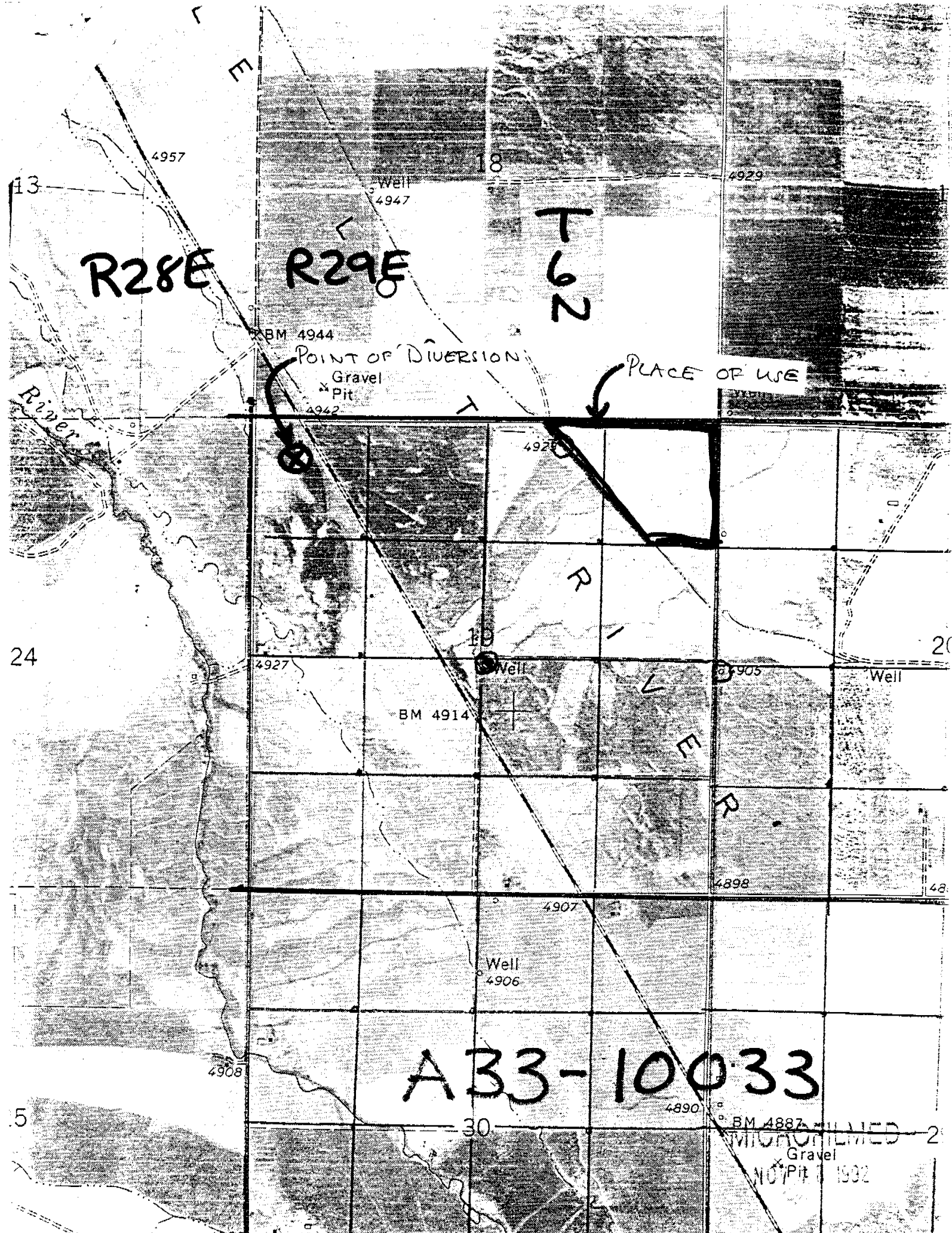
State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 1st day
of June 19 99

Autumn Jones
Notary Public



Residing at Obabo Falls
My Commission Expires 4/21/2005



R28E

R29E

T6N

BM 4944

POINT OF DIVERSION

Gravel Pit

4942

PLACE OF USE

River

BM 4914

A33-10033

MICROFILMED

NOV 1 1992



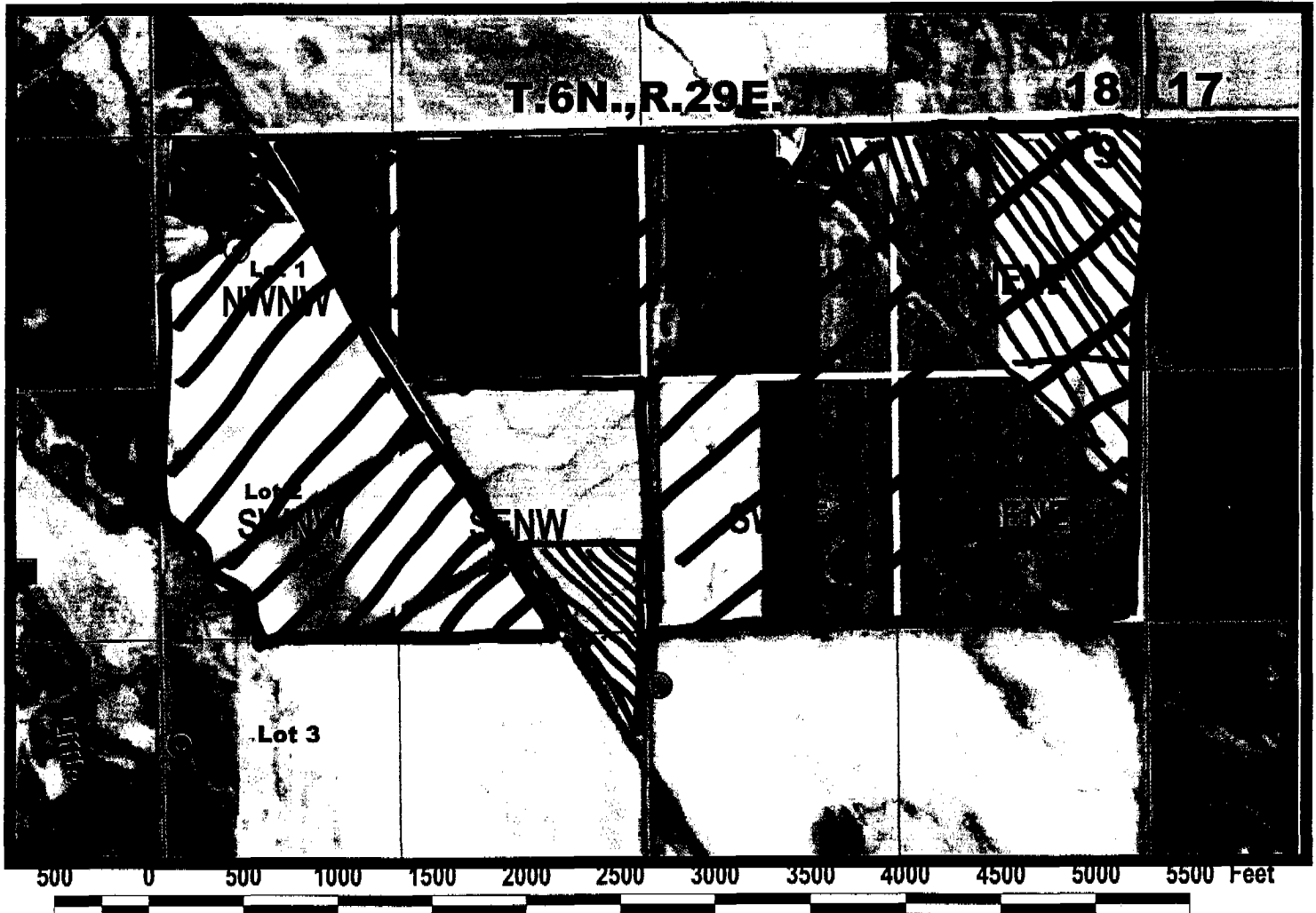
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Owen Romrell

Water Right(s): 33- 02059, 33-10033

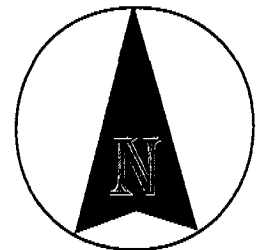


AJ
recommend

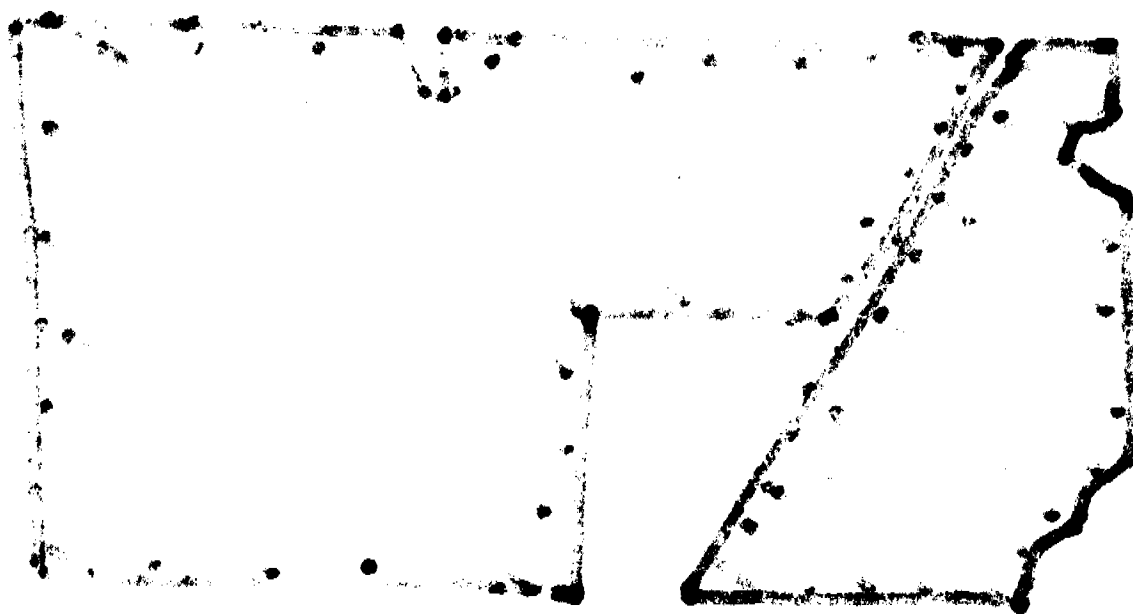
Place(s) of Use: T.6N., R.29E.
Sec. 19 (parts of) N2

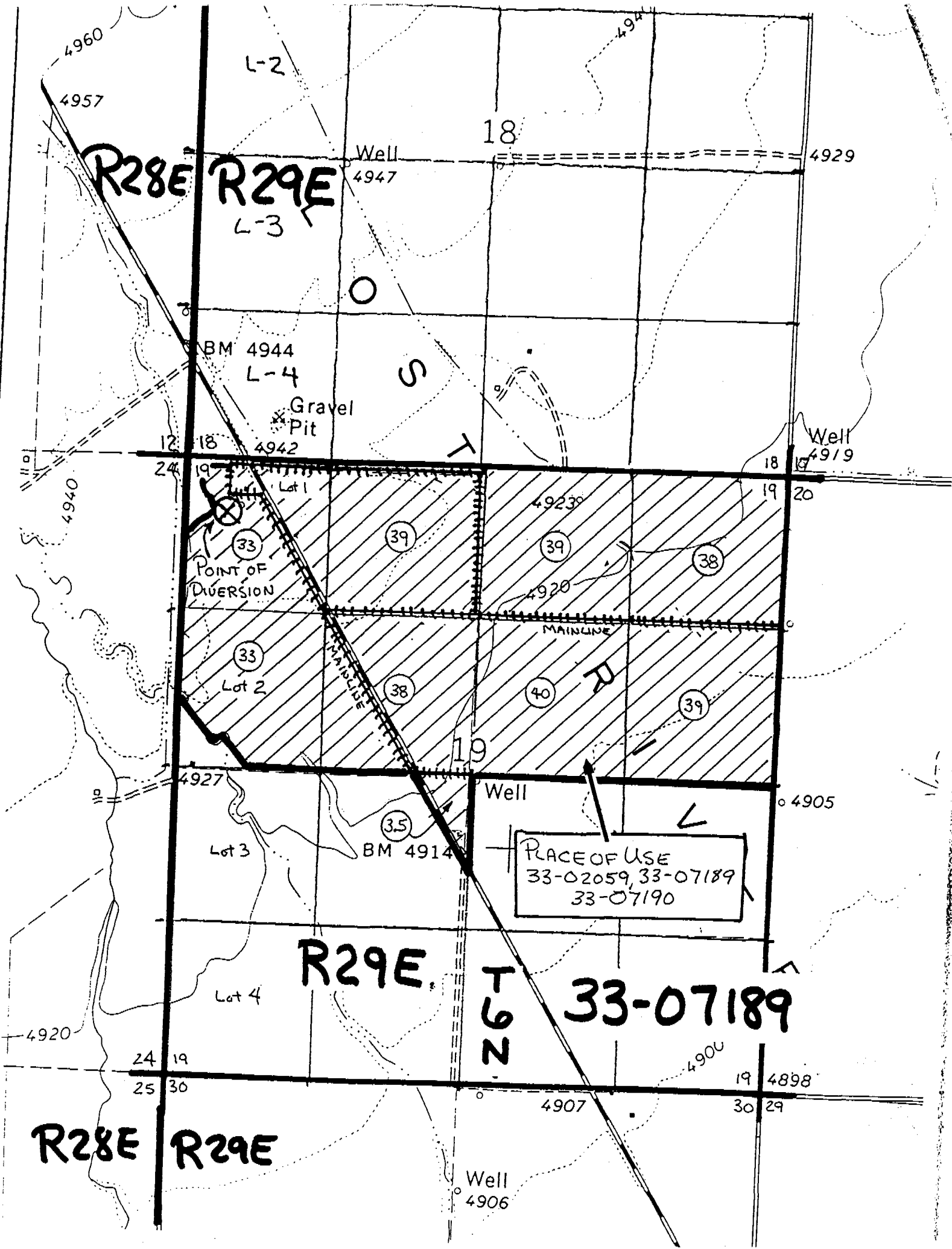
licenses
7189 & 7190

Point(s) of Diversion:
T.6N., R.29E., Sec. 19
NWNWNW (Lot 1)



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: June 1998





L-2

18

R28E R29E

Well
4947

4929

L-3

BM 4944

L-4

Gravel
Pit

4942

Well
4919

12 18
24 19

18 19
20

POINT OF
DIVERSION

Lot 2

MAINLINE

4927

Lot 3

BM 4914

Well

4905

PLACE OF USE
33-02059, 33-07189
33-07190

R29E

T
6
N

33-07189

Lot 4

4920

24 19
25 30

19 4898
30 29

R28E R29E

Well
4906

OVERLAP ANALYSIS OF EXAM OF PERMIT NO. 33-07189 and 33-07190

PLACE OF USE				NE				NW				SW				SE				TOTAL
	T	R	S	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	ACRES
Exam Acres	6N	29E	19	38	39	40	34	39	33	33	38	3.5								302.5
LICENSE 33-02059				8	22	40	25	40	25	25	30		@ .014 per acre							
RECOMMEND 33-07189				30	17		14		4		1									
RECOMMEND 33-07190											7	3.5								
Total Acres				38	39	40	34	39	33	33	38	3.5								302.5

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	29E	19	NE		NE		IRR	8.0
			NW		NE		IRR	28.0
			SW		NE		IRR	38.0
			SE		NE		IRR	38.0
			NE		NW		IRR	38.0
			NW		NW	1	IRR	35.0
			SW		NW	2	IRR	30.0
			SE		NW		IRR	10.0

Section Acres 225.0

Total Acres 225.0

11. Place of use in counties: BUTTE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
SHARES IN BLAINE COUNTY CANAL

14. Remarks:
ORIGINAL LICENSE FOR FLOOD IRRIGATION OF 225 ACRES. IN 1977 THE
PERVIOUS OWNER INSTALLED SPRINKLERS & INCREASED IRRIGATED ACRES
TO 265 ACRES. ADDITIONAL ACREAGE FILED UNDER ADJUDICATION CLAIM
NUMBER A33-10033

15. Basis of Claim: LICENSE
Water Right Number: 22774

4957

Well
4947

4929

R28E R29E

T
6
N

BM 4944

POINT OF DIVERSION
Gravel
Pit

4942

Well
4920

4925

PLACE OF USE

L1

L2

R

4927

Well

4905

Well

L3

BM 4914

L

M

L4

R

4898

48

4907

Well
4906

MICROFILMED

NOV 8 1992

4908

A33-02059

4890

BM 4887

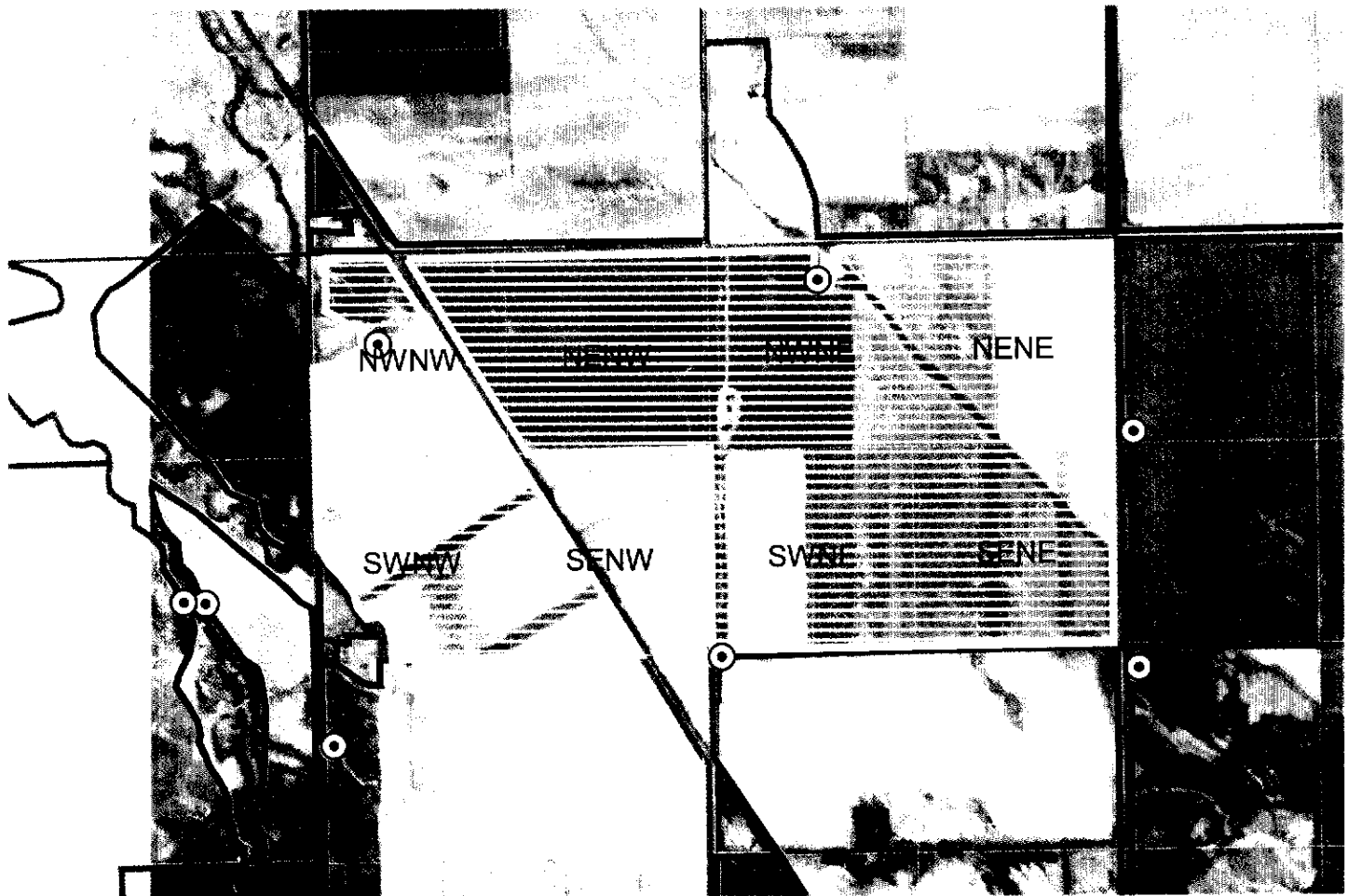
Gravel
Pit

4926

30

20

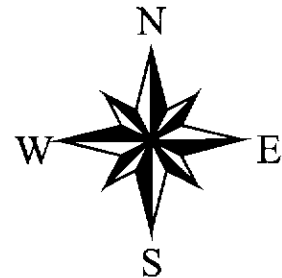
Water Right Number 33-10988



0

1 Miles

Township 6 North, Range 29 East



- Diversions - This WR
- Diversions - Other WR
- Place of Use - This WR
- Place of Use - Other WR
- Section Lines
- Quarter-Quarter Lines

GIS Illustration based on
1987/88 NAPP Photography
Prepared by Bryce A. Contor
December, 1999

AJ0749NP
No. R33-10988

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 12/03/99
PAGE: 2

Dates: Exam Made Date: Verified Date: Objection filed Date:

Misc: Water District Number: Field Inspection Flag: C
Presumption Flag:

Comments: Date: 12/03/1999 User-ID: BCONITOR Subject: COPIED FROM REMARKS
RIGHT 33-02059 ORIGINALLY ISSUED FOR 3.2 CFS ON 225 ACRES.
MID 1970'S CONVERSION TO SPRINKLERS RESULTED IN ACCOMPLISHED
TRANSFER AND ENLARGEMENT, REFERENCED BY CLAIMS A33-02059 AND
A33-10033.
SPRINKLER SYSTEM CAPACITY WAS GREATER THAN 3.2 CFS. ASSUMING
THIS WAS A POST-1963 CHANGE, CLAIMANT OBTAINED PERMIT 33-07189
FOR ADDITIONAL DIVERSION RATE.
CLAIMANT ALSO OBTAINED PERMIT 33-07190 FOR PLANNED RESUMPTION
OF GROUNDWATER APPLICATION TO LANDS FROM WHICH 33-02059 HAD
BEEN REMOVED BY ACCOMPLISHED TRANSFER.
LICENSES WERE ISSUED ON 33-07189 AND 33-07190.
NOTICE OF ERROR INVESTIGATION SHOWED THAT 1957 LICENSING EXAM
FOUND CFS SYSTEM CAPACITY GREATER THAN LICENSED CAPACITY OF
3.2 CFS. PLACE OF USE WAS 225 ACRES, JUSTIFYING BENEFICIAL USE
OF ADDITIONAL CFS.
THIS BENEFICIAL USE CLAIM IS FILED TO IMPROVE PRIORITY DATE
OF ADDITIONAL CFS FILED FOR UNDER 33-07189. TOTAL

Comments:

Date: 12/03/1999 User-ID: BCONTOR Subject: COPIED FROM REMARKS
DIVERSION RATE CLAIMED UNDER ALL RIGHTS AND CLAIMS IS 0.8 INCHES
PER ACRE OR 4.75 CFS.

THIS CLAIM IS FILED ON ALL THE LANDS IRRIGATED UNDER LICENSE
33-02059, INCLUDING THE ACCOMPLISHED TRANSFER REFLECTED IN
CLAIM A33-02059 AND THE ENLARGEMENT CLAIMED IN 33-10033. THIS
IS FILED ON A PERMISSIBLE PLACE OF USE BASIS, WITH 225 ACRES
CLAIMED FOR THIS RIGHT AS SHOWN IN 1957 LICENSING EXAM FOR
33-02059.

Date: 12/03/1999 User-ID: BCONTOR Subject: BLAINE COUNTY CANAL CO
CANAL WATER NO LONGER USED ON THIS PLACE. RECOMMENDATION CODED
E18 BECAUSE BCC RIGHTS WILL BE RECOMMENDED PER CLAIMED SERVICE
AREA. PENDING TRANSFER OF BCC SERVICE AREA WILL REMOVE THIS
POU FROM SERVICE AREA. BCONTOR.

Date: 12/03/1999 User-ID: BCONTOR Subject: DIVERSION RATE
DIVERSION RATE RECOMMENDED IS LESS THAN CLAIMED. RECOMMENDED
RATE FROM 1957 LICENSING EXAM 33-02059. 1987 ENERGY AUDIT
SHOWED APPROX. SAME CAPACITY, CLAIMANT WILL TRY TO FIND
DOCUMENTATION. BCONTOR.

Date: 12/03/1999 User-ID: BCONTOR Subject: PLACE OF USE OVERLAP
NOTE LETTER IN FILE RE: OVERLAP PROBLEM WITH POST-ACCOMPLISHED-
TRANSFER AJ RECOMMENDATIONS AND PRE-ACCOMPLISHED-TRANSFER
LICENSING RECOMMENDATIONS ON 33-07189 AND 33-07190. BCONTOR.

Audit:

12/03/99 BCONTOR

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A33-10988**
Date Received: 12/ 1/1999
Receipt No: FO 25497
Received By: BAC

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: OWEN A ROMRELL 208-767-3478
Address: HC 65 BOX 58
HOWE ID 83244

2. Date of Priority: AUG 17, 1957

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	29E	19	NW	NW		1	BUTTE

5. Description of diverting works:
SAME WELL AS LICENSE 33-02059

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	1.550		

7. Total Quantity Appropriated is:
1.550 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	29E	19	NE	NE		IRR	38.0
			NW	NE		IRR	38.0
			SW	NE		IRR	39.0
			SE	NE		IRR	38.0
			NE	NW		IRR	38.0

A3310988



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	29E	19	NW	NW		IRR	31.0
			SW	NW		IRR	33.0
			SE	NW		IRR	13.0
Section Acres							268.0
Total Acres							268.0

11. Place of use in counties: BUTTE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

33-02059, 33-07189, 33-07190, 33-10033.

14. Remarks:

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 225 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 33-02059 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 225 ACRES IN A SINGLE IRRIGATION SEASON.

RIGHT 33-02059 ORIGINALLY ISSUED FOR 3.2 CFS ON 225 ACRES. MID 1970'S CONVERSION TO SPRINKLERS RESULTED IN ACCOMPLISHED TRANSFER AND ENLARGEMENT, REFERENCED BY CLAIMS A33-02059 AND A33-10033.

SPRINKLER SYSTEM CAPACITY WAS GREATER THAN 3.2 CFS. ASSUMING THIS WAS A POST-1963 CHANGE, CLAIMANT OBTAINED PERMIT 33-07189 FOR ADDITIONAL DIVERSION RATE.

CLAIMANT ALSO OBTAINED PERMIT 33-07190 FOR PLANNED RESUMPTION OF GROUNDWATER APPLICATION TO LANDS FROM WHICH 33-02059 HAD BEEN REMOVED BY ACCOMPLISHED TRANSFER.

LICENSES WERE ISSUED ON 33-07189 AND 33-07190.

NOTICE OF ERROR INVESTIGATION SHOWED THAT 1957 LICENSING EXAM FOUND CFS SYSTEM CAPACITY GREATER THAN LICENSED CAPACITY OF 3.2 CFS. PLACE OF USE WAS 225 ACRES, JUSTIFYING BENEFICIAL USE OF ADDITIONAL CFS.

THIS BENEFICIAL USE CLAIM IS FILED TO IMPROVE PRIORITY DATE OF ADDITIONAL CFS FILED FOR UNDER 33-07189. TOTAL DIVERSION RATE CLAIMED UNDER ALL RIGHTS AND CLAIMS IS 0.8 INCHES PER ACRE OR 4.75 CFS.

THIS CLAIM IS FILED ON ALL THE LANDS IRRIGATED UNDER LICENSE 33-02059, INCLUDING THE ACCOMPLISHED TRANSFER REFLECTED IN CLAIM A33-02059 AND THE ENLARGEMENT CLAIMED IN 33-10033. THIS IS FILED ON A PERMISSIBLE PLACE OF USE BASIS, WITH 225 ACRES CLAIMED FOR THIS RIGHT AS SHOWN IN 1957 LICENSING EXAM FOR 33-02059.

16. Signature(s)

Number of attachments:

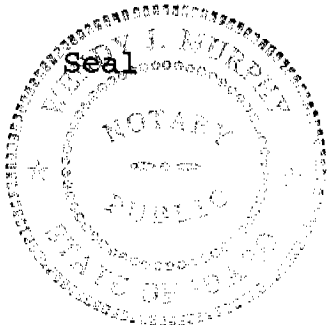
For Individuals:

Signature of Claimant(s): David A. Russell Date: 12-3-99
Date: _____

State of Idaho)
County of *Bonner*) SS.

Subscribed and sworn (or affirmed) before me this 3rd day
of December 19 99 Wendy O. N.

Wendy J. Murphy
Notary Public

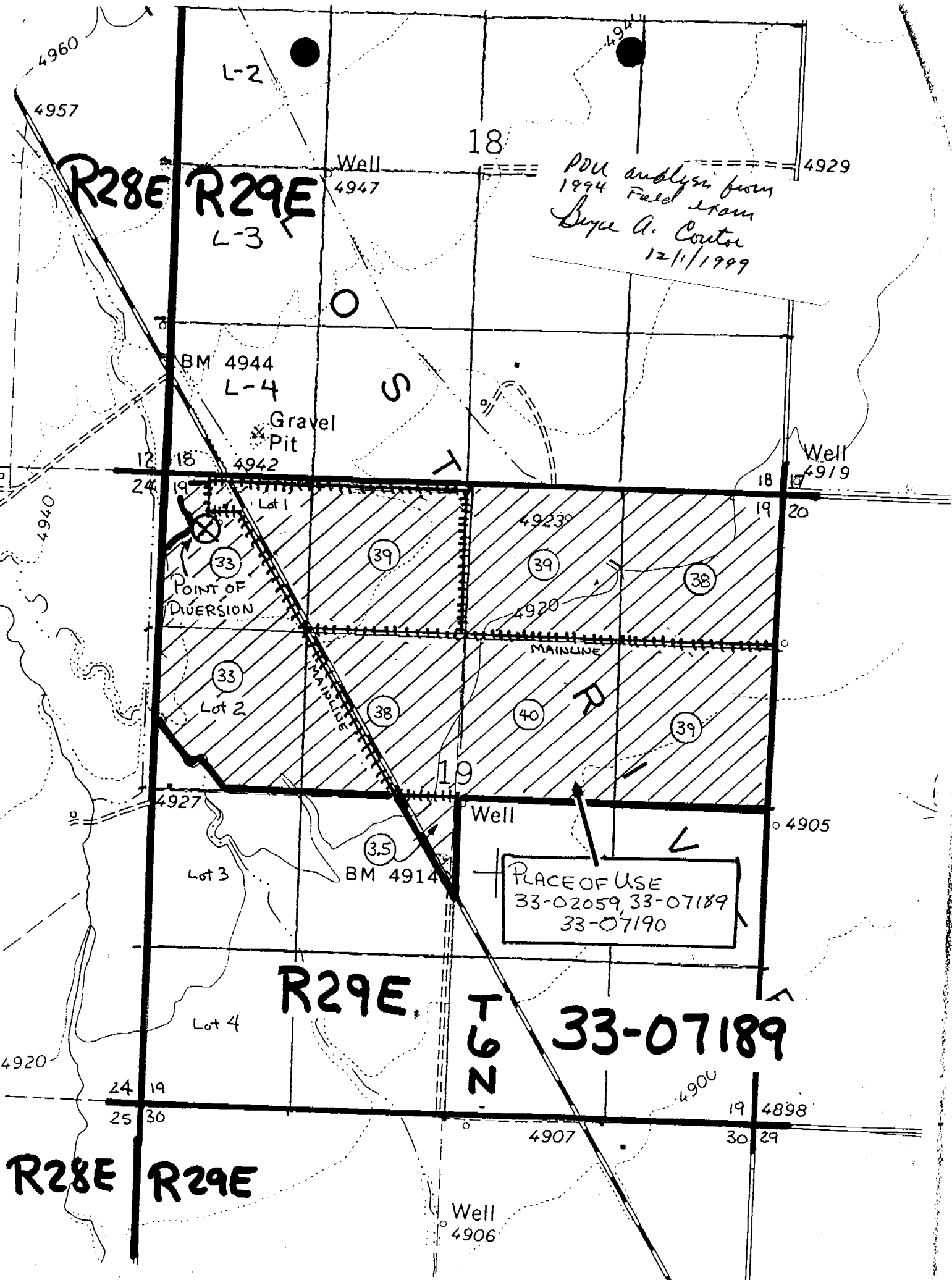


Residing at Idaho Falls
My Commission Expires 6/23/2000

OVERLAP ANALYSIS OF EXAM OF PERMIT NO. 33-07189 and
33-07190

PLACE OF USE				NE				NW				SW				SE				TOTAL
	T	R	S	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	ACRES
Exam Acres	6N	29E	19	38	39	40	34	39	33	33	38	3.5								302.5
LICENSE 33-02059				8	22	40	25	40	25	35	30	@ .014 per acre								
RECOMMEND 33-07189				30	17		14			6	1									
RECOMMEND 33-07190											7	3.5								
Total Acres				38	39	40	34	39	33	33	38	3.5								302.5

Overlap analysis from
1994 field exam.
Boye A. Couton
12/1/1999



POU analysis from
1994 Field Exam
Guy A. Coutor
12/1/1999

PLACE OF USE
33-02059, 33-07189
33-07190

33-07189

R28E R29E

R29E

T26N

R-29-E

125 Acres irrigated

T.
6
N.

q3

3

106.5
10

Land subdivisions &
Irrigated area - 285 Acres as shown
on map.

Quantity of water 1965, Mings inch. w.
measured with Sparling Meter.

4500 cubic feet during 127 seconds

Condition of flow full 16" pipe - moderate
velocity

From 8/17/1957 examination
Report 33-02059.
Bye A. Conner
12/1/1999

Scale: 2 inches Equals 1 Mile. Draw Map by Int.

27774

TOTAL DIVERSION: 0.250 CFS

Stage: BENEFICIAL USE

BUTTE COUNTY

ME ME

TOTAL ACRES

Other Rights: 33-02059, 33-07189, 33-07190, 33-10033.

2

- THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.45 CFS. COMBINED RIGHT NOS.: 33-02059, 33-07189, 33-07190, 33-10033.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 225 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 33-02059 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 225 ACRES IN A SINGLE IRRIGATION SEASON.

RIGHT 33-02059 ORIGINALLY ISSUED FOR 3.2 ACS ON 225 ACRES. MID 1970'S CONVERSION TO SPRINKLERS RESULTED IN ACCOMPLISHED TRANSFER AND ENLARGEMENT, REFERENCED BY CLAIMS A33-02059 AND A33-10033.

SPRINKLER SYSTEM CAPACITY WAS GREATER THAN 3.2 CFS. ASSUMING THIS WAS A POST-1963 CHANGE, CLAIMANT OBTAINED PERMIT 33-07189 FOR ADDITIONAL DIVERSION RATE. CLAIMANT ALSO OBTAINED PERMIT 33-07190 FOR PLANNED RESUMPTION OF GROUNDWATER APPLICATION TO LANDS FROM WHICH 33-02059 HAD BEEN REMOVED BY ACCOMPLISHED TRANSFER. LICENSES WERE ISSUED ON 33-07189 AND 33-07190. EXAMINER FOUND 3.45 CFS DIVERSION CAPACITY AND 302.5 ACRES PLACE OF USE.

Remarks:

NOTICE OF ERROR INVESTIGATION SHOWED THAT 1957 LICENSING EXAM FOUND 3.9 CFS SYSTEM CAPACITY, THOUGH LICENSED ONLY FOR 3.2 CFS. 1957 PLACE OF USE WAS 225 ACRES, JUSTIFYING BENEFICIAL USE OF FULL 3.9 CFS.

THIS BENEFICIAL USE CLAIM IS FILED TO IMPROVE PRIORITY DATE OF ADDITIONAL CFS FILED FOR UNDER 33-07189. TOTAL DIVERSION RATE CLAIMED UNDER ALL RIGHTS AND CLAIMS IS 3.45 CFS AS FOUND IN 1994 LICENSING EXAM.

THIS CLAIM IS FILED ON ALL THE LANDS IRRIGATED UNDER LICENSE 33-02059, INCLUDING THE ACCOMPLISHED TRANSFER REFLECTED IN CLAIM A33-02059 AND THE ENLARGEMENT CLAIMED IN 33-10033. THIS IS FILED ON A PERMISSIBLE PLACE OF USE BASIS, WITH 225 ACRES CLAIMED FOR THIS RIGHT AS SHOWN IN 1957 LICENSING EXAM FOR 33-02059.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag: Presumption Flag: