



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-9193 Priority December 11, 1978 Amount 1.32 cfs

THIS IS TO CERTIFY, that Loyal L. &/or J. Mildred Hower
of Nampa, Idaho, has complied with the terms and conditions of Permit
No. 63-9193 issued pursuant to Application for Permit dated December 11, 1978,
and has submitted proof to the Department of Water Resources on February 25, 1982,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.97 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>March 15</u> to <u>November 15</u>	at <u>1.32</u> cfs and	<u>297.0</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 1.32 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
297.0 acre feet per year, said waters to be diverted within the NW¹/₄NW¹/₄, Section 18, Twp.
2N, Rge. 1W in the County of Canyon

Description and location of place of use:

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	
2N	1W	18					36	30											66

Total number of acres irrigated 66

This right when combined with all other rights shall provide no more than 0.02
cfs per acre nor more than 4.5 afa per acre for the lands above.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 21 day of
September, 19 82.

Director

Identification No. _____

Application No. 63-9193

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

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

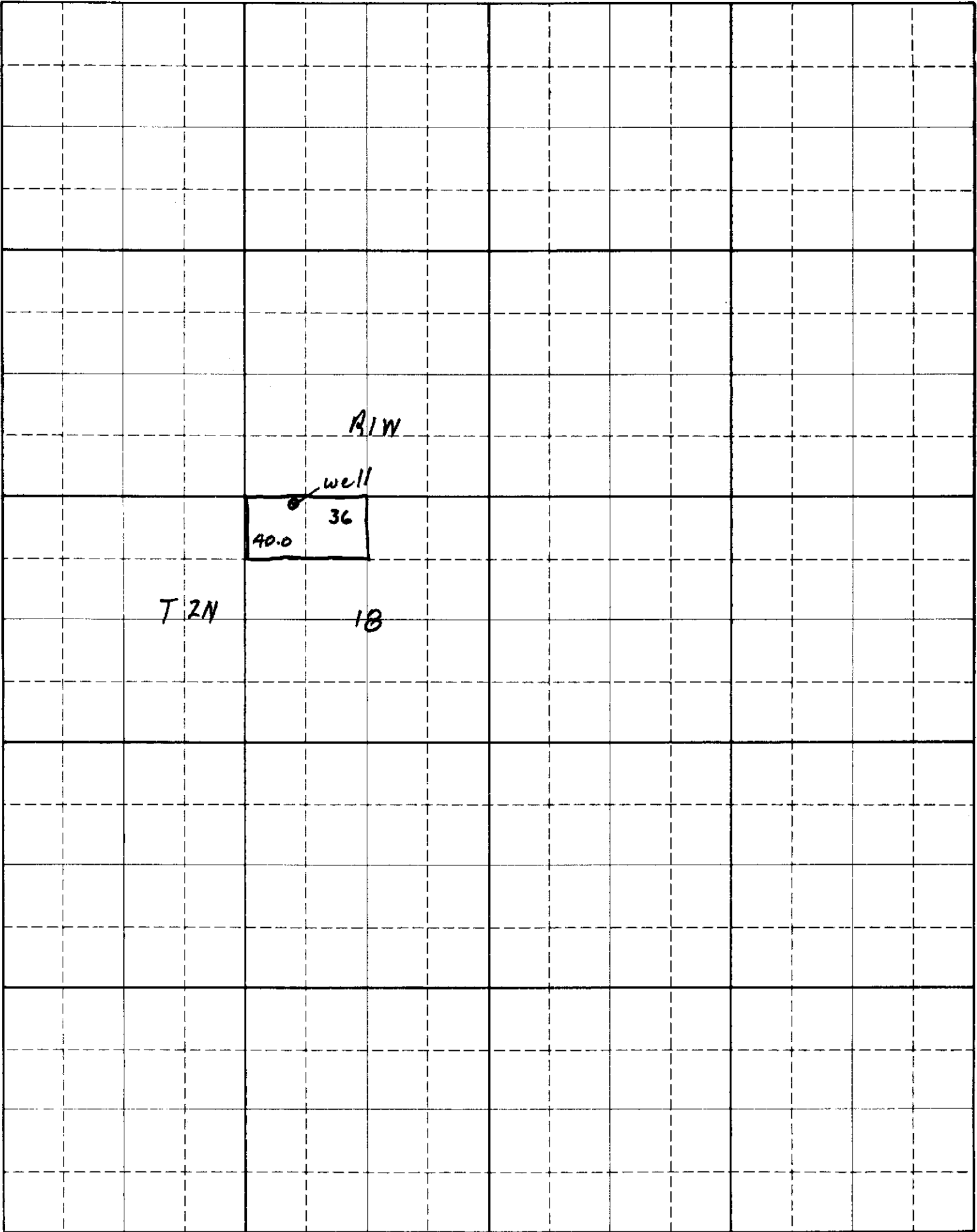
1. Name of applicant Loyal L. &/or J. Mildred Hower Phone: 466-4865
post office address Route 3, Box 3648, Nampa, ID 83651
2. Source of water supply groundwater which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 18 Township 2N
Range 1W B.M. Canyon County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 1.52 for irrigation purpose from 3-15 to 11-15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 1.52 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well with 15 HP centrifical pump

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) 31 (Mo. Day)
- c. Proposed well diameter is 8 inches; proposed depth of well is 31 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ _____.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

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



Scale: 2 inches equal 1 mile

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

Loyal L. Hower
(Applicant)

Proposed Priority 12-11-78

Received by 665 Date 12/11/78 Time 9:00
Preliminary check by _____ Fee \$ 45.00
Received by [Signature] Date #18517
Publication prepared by DSS Date 12/14/78
Published in Idaho Free Press
Publication dates 12/21 & 12/28/78
Publication approved DSS Date 1/22/79
Priority reduced to _____ Reason _____
Protests filed by: _____
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by DSS 5.5

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. 63-9193, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 19 84.
- c. Other: Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use. II. An access 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.

Witness my hand this 5th day of February 19 79

Chief, Operations Bureau

A. Alan Saylor

OK-1CK
1-19-79

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Canyon)

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

63-9193
HOWER, LOYAL L. &/or J. MILDRED
ROUTE 3, BOX 3648, NAMPA, IDAHO 83651
Source: GROUNDWATER
Date Filed: December 11, 1978
Amount: 1.52 CFS
Diversion Point: NWNW Section 18 T2N R1W, CANYON County
Use: IRRIGATION (1.52 CFS) from March 15 to November 15
Place of Use: NENW NWNW Section 18 T2N R1W FOR 76 ACRES
Diversion Means: WELL AND PUMP

63-9194
ANDERSON, BYRON V.
BOX 277, NAMPA, IDAHO 83651
Source: GROUNDWATER
Date Filed: December 8, 1978
Amount: 5.00 CFS
Diversion Point: SWSW Section 2 T2N R2W, CANYON COUNTY
Use: FISH PROP. (5.00 CFS) from January 1 to December 31
Place of Use: SWSW Section 2 T2N R2W
Diversion Means: ARTESIAN WELL

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83705 on or before January 8, 1979.
C. STEPHEN ALLRED
Director

December 21, 28, 1978

Susan Wilkerson
of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.
was over the age of twenty-one years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Free Press and The News-Tribune, a daily, (except Sunday) newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times

in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

December 21, 28, 1978

Susan Wilkerson

Subscribed and sworn to before me this 28th day of December

19 78

Janeal Smith
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1981

MICROFILMED

September 22, 1982

RE: Permit No. 63-9193

Loyal L. &/or J. Mildred Hower
Route #3, Box 3648
Nampa, ID 83651

Dear Mr. and Mrs. Hower:

Enclosed herewith is a copy of the Water Right License issued on the above referenced Permit.

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure





State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

August 17, 1982

RE: Permit No. 63-9193

Loyal L. &/or J. Mildred Hower
Route #3, Box 3648
Nampa, ID 83651

Dear Mr. and Mrs. Hower:

A representative of this Department has made an examination of the works covered by your Permit No. 63-9193, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 1.32 cfs Source: groundwater

The maximum quantity diverted shall not exceed 297.0 acre feet
per year.

Point(s) of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18, Twp. 2N, Rge. 1W, Canyon County

Beneficial use: Irrigation of 66 acres within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18, Twp. 2N,
Rge. 1W

Priority date established: December 11, 1978

Conditions (if any): This right when combined with all other rights shall
provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre for
the lands above.

If you do not concur with these findings please contact us within 10 days, otherwise
a water license will be issued as set forth above.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw

License - 2004 gw - No Overlap - different source

Date 26 Mar 1987

☐ Add P.D. as reflected above

☒ None

☐ Add P.U. as reflected above

☐ Other

MAP (Attach Aerial Photo)

bound to
96 Acres



NOT TO SCALE

May 13, 1982

Loyal L. and/or J. Mildred Hower
Route 3, Box 3648
Nampa, ID 83651

Dear Mr. and Mrs. Hower:

RE: Permit No. 63-9193

This office acknowledges receipt of the statement of beneficial use postcard.

It is my understanding that a field examination has been completed by a representative from our Western Regional office. Based upon his recommendations, a water right license will be issued.

Sincerely,

RITA I. FLECK
Sr. Secretary

MICROFILMED

DEPARTMENT OF WATER RESOURCES

EXAM ALREADY COMPLETED

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) have completed development to the extent shown below. Permit No. 63-9193

Name(s) of Permit Holder: LOYAL HOWER

Post Office Address: RT 3 Box 3648 Nampa Id. 83651

Tel. No. 416-4865

Source of Water:

Extent of Use:

- ☐ Domestic _____ (number of households)
☐ Stockwater _____ (number and type of stock)
☒ Irrigation 71 (acres)
☐ Other _____

Measuring Device: Required? ☒ Yes ☐ No Installed? ☐ Yes ☒ No

Access Point: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

22 May 1981

Date

Loyal Hower
 Signature of Permit Holder

RECEIVED

FEB 25 1982

Department of Water Resources
Western Regional Office



RECEIVED
GENERAL
STAMP
HERE

MAR 2 1982

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED

IDENT. NO. 63-9193

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

February 7, 1979

Re: Permit No. 63-9193

Loyal L. &/or J. Mildred Hower
Route 3, Box 3648
Nampa, Idaho 83651

Dear Mr. or Mrs. Hower:

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

Please note the special condition requiring you to install an access port or other device to provide for the installation of measuring equipment by the Department. The Department will provide the specifications for the installation to you.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power.

While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit. However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right.

If you have any questions, please let us know.

Sincerely,

David R. Tuthill Jr.

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

Enclosure

*access port
letter sent 8/9/79
Harry Byington*

DRT:lr

MICROFILMED

STAFF REVIEW - STATE OFFICE

- | | |
|---|---|
| 1. <u>✓</u> Name vs. Signature | 7. <u>N/A</u> Place of Use for other than irrig. |
| 2. <u>W</u> Source | 8. <u>✓</u> Place of Use for irrigation (add acres) |
| 3. <u>✓</u> Point of Diversion | 9. <u>A</u> Property Owner at Pt. <u>✓</u> of Div. & Pl. of Use |
| 4. <u>1.52</u> Amnt. & Period of Use | 10. <u>✓</u> Map |
| 5. <u>✓</u> Descrip. of Diverting Wrks. | 11. <u>45</u> Fee & Rec't. No. <u>✓</u> |
| 6. <u>5</u> Time req. for Proof of B/U | |

Copies Sent To:

<u>NO</u> Idaho Health Department	<u>NO</u> U.S.F.S.
<u>7</u> Idaho Fish & Game Dept.	<u>7</u> Dept. of Lands
<u>7</u> Bureau of Land Management	<u>7</u> Other

76
.02
1.52 cfs

Dam Safety Information N/A (Goes to Permit Section)

Check:

Critical G.W. Area yes ✓ no

Other rights on same land Surface water

Withdrawals of all protests received N/A yes no

Conditions:

ID Power Co. Letter - Snake R. <u>No</u>	Meas. Dev. or Sc. Meas. <u>Yes</u>
ID Power Co. Letter - G.W. & Tribs. <u>Yes</u>	Totalizing meter <u>No</u>
Snake River Condition <u>No</u>	Supplemental <u>Yes</u> # <u>12</u>
Payette River Letter <u>No</u>	Right-of-Way Cond. <u>No</u>
Priority Date <u>12/11/78</u>	Watermaster Cond. <u>NO</u>
	Wtr. Dist No. <u>7</u>
Water Quality #16 <u>NO</u>	Meas. Dev. Cond. for apps within a Water Dist. <u>7</u>
Water Quality #10 <u>7</u>	
intrastate <u> </u> interstate <u> </u>	

Jim
 Reviewer
1/31/79
 Date

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 103-9193

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) ECB 12 Dec 78

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
_____ Request Dam Safety Information

(4) ECB 12 Dec 78

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no ✓

(8) _____

Groundwater levels:

_____ Declining, ✓ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use No GW platted

(10) _____

Comments: _____

(11) KL OK

Affidavit of Publication received(date) 1-19-79

(12) _____

Final date for protests 1-8-79
Protests received: yes _____ no X

(13) _____

All requested information received from agencies or applicant: yes _____ no _____

(14) _____

Action recommended:

✓ Approve _____ Deny

12/11/78 Proposed Priority

Reason for Reduction _____

✓ Measuring device required

See attached sheet for other conditions of approval

No special conditions for approval

(15) District W

By [Signature] Date 1/22/79

I.P. Gw letter
Supplemental
w/ no more
0.02 cfs/acre
RECEIVED
JAN 24 1979
Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

DECEMBER 14, 1978

Idaho Free Press
Box 88
Nampa, ID 83651

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JANUARY 8, 1979.

Yours truly,

Sally Trinkaus
Secretary

Encl.

RECEIVED
DEC 18 1978

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83705 on or before JANUARY 8, 1979.

C. STEPHEN ALLRED

Director

Published 12/21 & 12/28/78.

RECEIVED
JAN 11 1979
IDAHO DEPARTMENT OF WATER RESOURCES
BOISE, IDAHO

HOWER, LOYAL L. &/or J. MILDRED

ROUTE 3, BOX 3648, NAMPA, ID 83651

Source: GROUNDWATER

Date Filed: 12/11/1978

Amount: 1.52 CFS

Diversion Point: NWNW Sec 18 T 02N R 01W, CANYON Co.

Use: IRRIGATION (1.52 CFS) from 03/15 to 11/15

Place of Use: NENW NWNW Sec 18 T 02N R 01W FOR 76 ACRES

Diversion Means: WELL AND PUMP

RECEIVED

X 56A

WATER RIGHT NUMBER 63-9193
ACT
ION

WATER RIGHTS EDIT REPORT

12/15/78

PAGE 11

OWNER LAST NAME - HOWER
OWNER LAST NAME - HOWER
ADDRESS LINE 1 - ROUTE 3, BOX 3648

FIRST NAME - LOYAL L.
FIRST NAME - J. MILDRED

CITY - Nampa

STATE - ID ZIP CODE - 83651

SOURCE - GROUNDWATER
STAGE - APPLICATION

PRIORITY - 12-11-1978

COUNTY - CANYON

TOTAL DIV. RATE - 1.5200CFS

DIVERSION POINT - NWNW 18 02N 01W
FROM - 03-15 TO - 11-15 USE - IRRIGATION

USE DIV. RATE - 1.5200CFS

AC 36 TRACT NWNW

AC 40

USE - IRRIGATION
OTHER RIGHTS FOR SAME USE - Nampa-Meridian Irrigation District
DIVERSION MEANS - WELL AND PUMP

106