

17
**T7N
R45E**

22-07077



22-07363

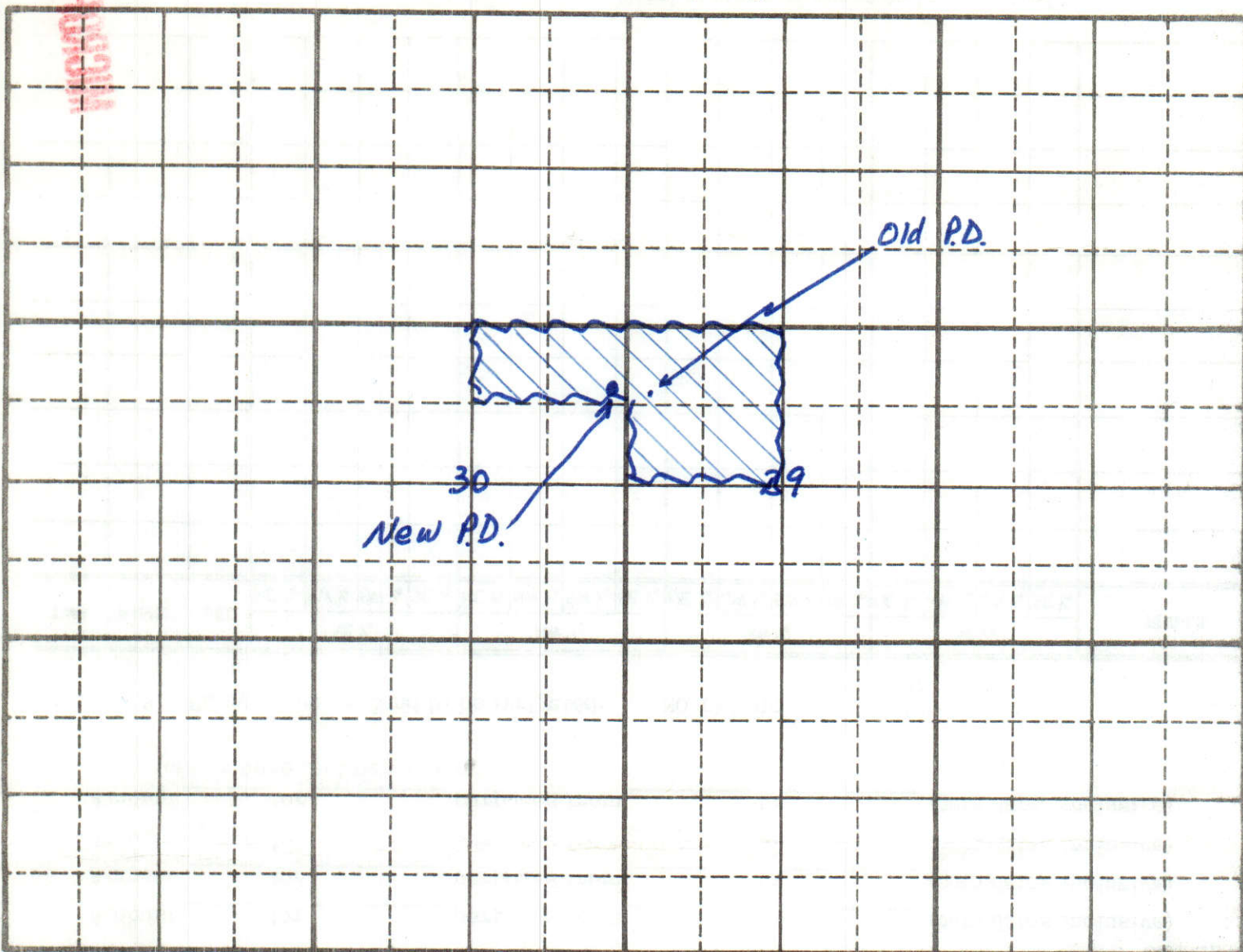


22-07257



JUL 19 1995

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Lees, this 19 day of Aug., 19 75.
x Edward Brower
x Merrill E. Brower
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Operations Division

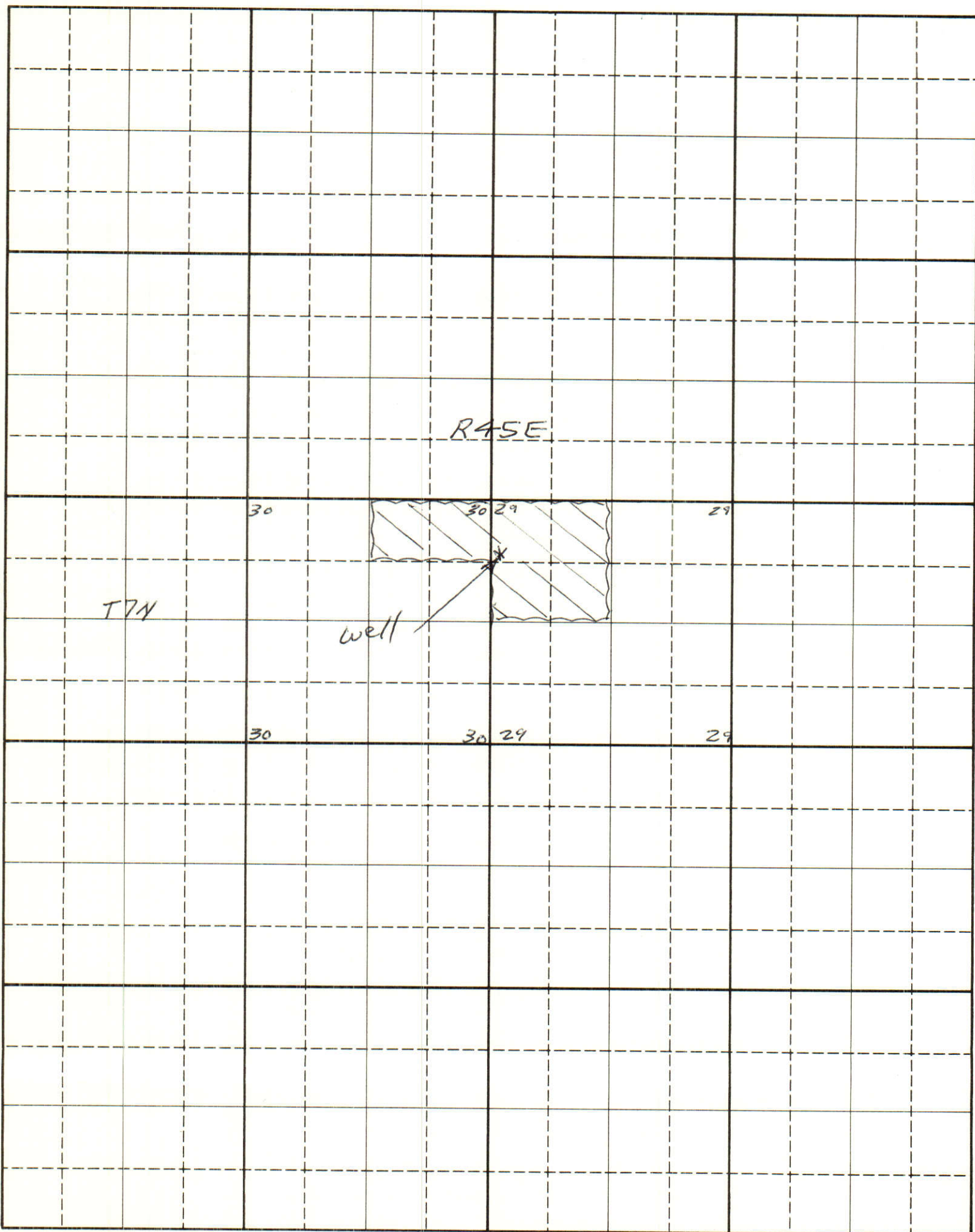
I, A. KENNETH DUNN, Administrator, of the Department of Water Resources hereby approve the above application for amendment on the above Permit No. 22-7077.

Witness my hand this 25th day of August, 19 75.

A. Kenneth Dunn
Director

A. KENNETH DUNN, Administrator, Operations Division

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.

E. Edward Brower
Merrill Brower
(Applicant)

22-7077

AFFIDAVIT OF PUBLICATION

State of Idaho, ss.
County of Teton

I, Louise L. Norton
being first duly sworn depose and say

that I am the publisher
of the Teton Valley News, a news-
paper as defined by Idaho Codes Anno-
tated, Section 58-106, as amended, and
that said newspaper is a weekly news-
paper printed and published at Driggs,
in Teton County, Idaho, having a gen-
eral circulation in said county, and that
said newspaper has been printed in
said county for more than 78 consecu-
tive weeks prior to the first publication
of the attached notice, advertisement
or publication of

Notice of Application for Water
Permit: Merrill & Edward Brower

And affiant further says that said
attached notice, advertisement or pub-
lication, as per clipping attached, was
published in said newspaper, in the
regular and entire issue thereof, and
not in any supplement issue thereof,

for 2 consecutive issues thereof;
first publication having been made on

the 2 day of August

19 73

and last publication on the 9

day of August, 19 73

And affiant further says that at the
times herein mentioned said newspaper
was made up of at least four pages
of at least five columns each, printed
from type matter, of at least seven-
teen and three-fourths inches deep.

Louise L. Norton

Subscribed in my presence and sworn

to before me this 9 day of

August, 19 73

(SEAL) Notary Public for the State of
Idaho, residence and postoffice
address, Driggs, Idaho.

My Commission expires

Earl G. Sewell, Notary Public

My Commission Expires May 1, 1974

Earl G. Sewell

RECEIVED

AUG 18 1973

Department of Water Administration
Eastern District Office

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that
Merrill and Edward Brower,
Felt, Idaho have on 7/26/73 sub-
mitted Application No. 22-7077 for
a permit to appropriate 4.80 cubic
feet per second of water from a
ground-water source by means
of well and pump within the
NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, T. 7N, R.
45E, B.M. Teton County; to be
used from Apr. 15 to Oct. 15 for
the irrigation of 240 acres within
the NW $\frac{1}{4}$, Sec. 29; N $\frac{1}{2}$ NE $\frac{1}{4}$,
Sec. 30, T. 7N, R. 45E, B.M.

If issued, this permit will be
subject to all prior water rights.
Protests against the granting of
the permit must be filed with
the Idaho Department of Water
Administration, 240 South Holmes
Idaho Falls, Idaho, 83401 on or
before August 20, 1973.

R. KEITH HIGGINSON
Director

Published in the Teton Valley
News, Driggs, Idaho on August
2 and August 9, 1973.

22-7077

AFFIDAVIT OF PUBLICATION

State of Idaho)

County of Teton)

I, Nadine Soose.....
being first duly sworn, depose and say that I am
the Secretary... of the Teton Valley News,
a newspaper as defined by Idaho Codes An-
notated, Section 58-106, as amended, and that
said newspaper is a weekly newspaper printed and
published at Driggs, in Teton County, Idaho,
having a general circulation in said county, and
that said newspaper has been printed in said
county for more than 78 consecutive weeks prior
to the first publication of the attached notice, ad-
vertisement, or publication of

notice of proposed
change of a water right #559
And affiant further says that said attached notice,
advertisement, or publication, as per clipping at-
tached, was published in said newspaper, in the
regular and entire issue thereof, and not in any
supplement issue thereof, for two consecutive
issues thereof; first publication having been
made on the 9 day of March,
1995.

And affiant further says that at the times herein
mentioned said newspaper was made up of at
least eight pages of at least five columns each,
printed from typed matter, of at least sixteen in-
ches deep.

Nadine Soose

State of Idaho)

County of Teton)

On this 9th day of March
in the year of 1995, before me, a Notary Public,
personally appeared Nadine Soose....
known or identified to me to be the person whose
name subscribed to the within instrument, and
being by me first duly sworn, declared that the
statements therein are true, and acknowledged to
me that he executed the same.

Bonnie Johnson
Notary Public for Idaho

Residing at Driggs Idaho

My commission expires 10/24/98

NOTICE OF PROPOSED
CHANGE OF A WATER
RIGHT
NO. 4559

Notice is hereby given that Mer-
rill Brower and Songs Inc. and Wil-
liam A. Robinson, P.O. 147, Tetonia,
ID 83452, have applied to the Depart-
ment of Water Resources to add a
point of diversion, change point of
diversion, and change place of use of
the waters of a groundwater source.
The rights sought to be changed are
evidenced by licenses and recorded
as follows:

License No.: 22-07077
Source: groundwater
Amount: 1.24 cfs
Priority: 7/26/1973
Point(s) of Diversion: NENE,
SEC 30, 07N, R45E, Teton County
The water is used for IRRIGA-
TION of 218 acres from 4/15 to 10/15
within the NW 1/4, SEC 29, N1/2NE,
SEC 30, T07N, R45E, B.M.

License No.: 22-07257
Source: groundwater
Amount: 1.88 cfs

Priority: 9/2/1977
Point(s) of Diversion: NWNW,
SEC 22, 07N, R45E, Teton County
The water is used for IRRIGA-
TION of 280 acres from 4/1 to 11/1
within the SENW, W1/2SW, SEC
15, W1/2NE, NW, NWSW, SEC 22,
T07N, R45E, B.M.

License No.: 22-07363
Source: groundwater
Amount: 1.58 cfs
Priority: 6/4/1981
Point(s) of Diversion: NENE,
SEC 30, 07N, R45E, Teton County
The water is used for IRRIGA-
TION of 79 acres from 4/15 to 10/15
within the S1/2NE, SEC 30, T07N,
R45E, B.M.

TO BE CHANGED AS
FOLLOWS:

The water will be diverted from
the NESWSW, SEC 15, (well #1),
NESWNW, SEC 22, (well #2), T07N,
R45E, Teton County and used to irri-
gate 577 acres within the S1/2NW,
SW 1/4, SEC 15, S1/2NE, N1/2SE,
N1/2SW, SEC 16, W1/2NE, NW1/4,
NWSW, SEC 22, T07N, R45E, B.M.

Any protests against approval
of the proposed change must be filed
with the Idaho Department of Water
Resources, 900 N. Skyline Dr., Idaho
Falls, ID 83402, together with a pro-
test fee of \$25 on or before March 27,
1995. The protestant must also send a
copy of the protest to the applicant.

R. Keith Higginson, Director

Published in the Teton Valley
News on March 9 and 16, 1995.

MICROFILMED

JUL 19 1995

B 45 E

T
7
N

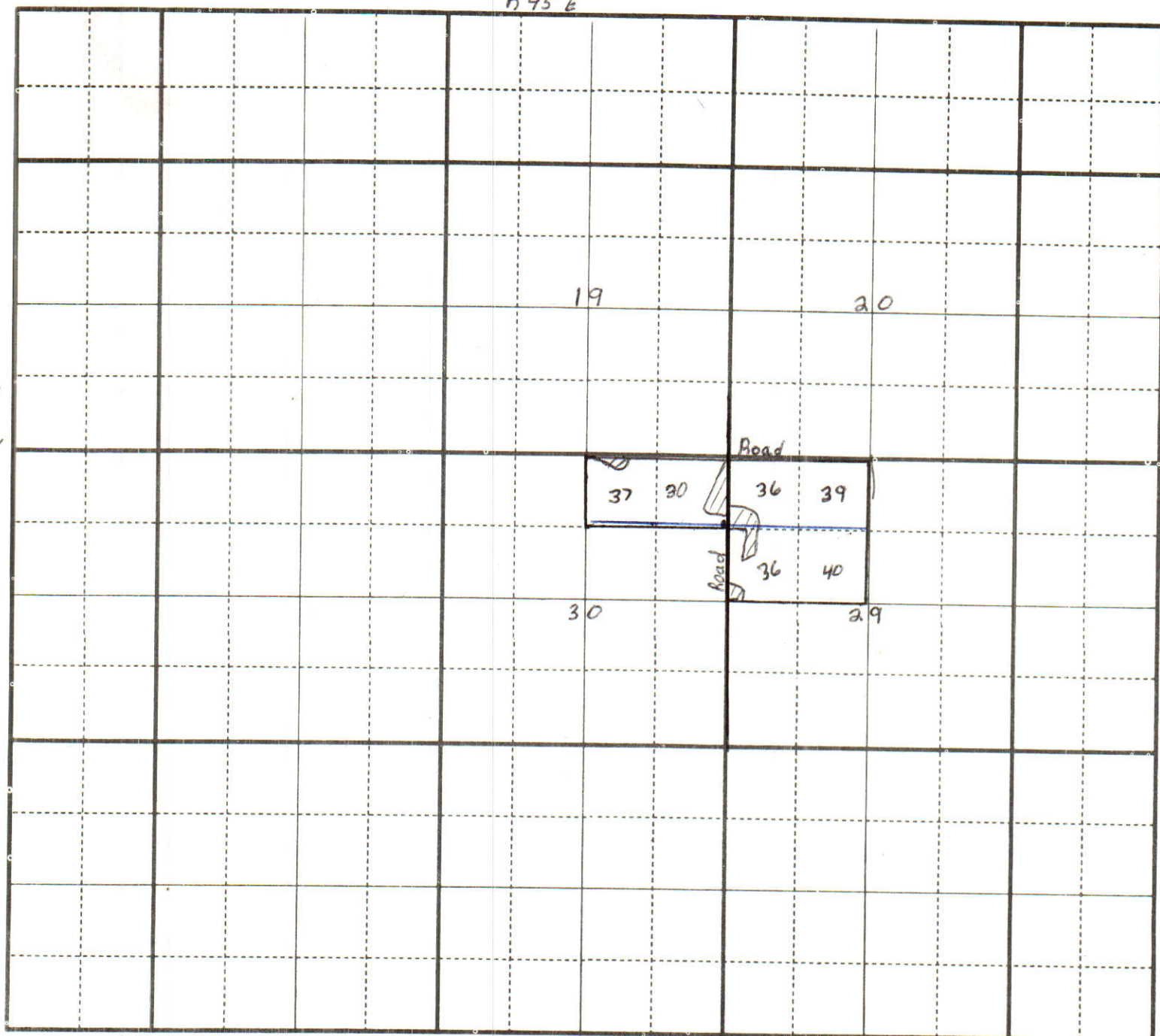
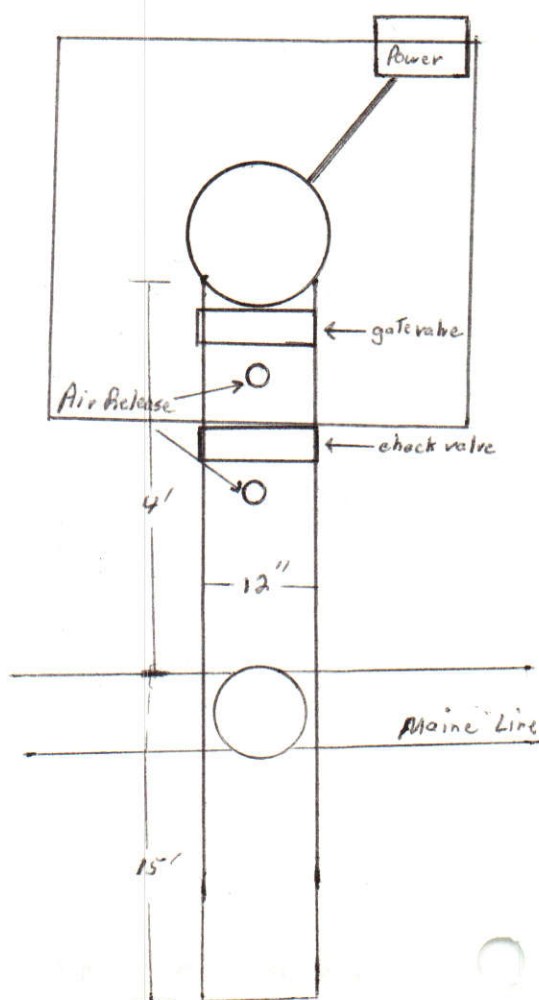


Diagram of System

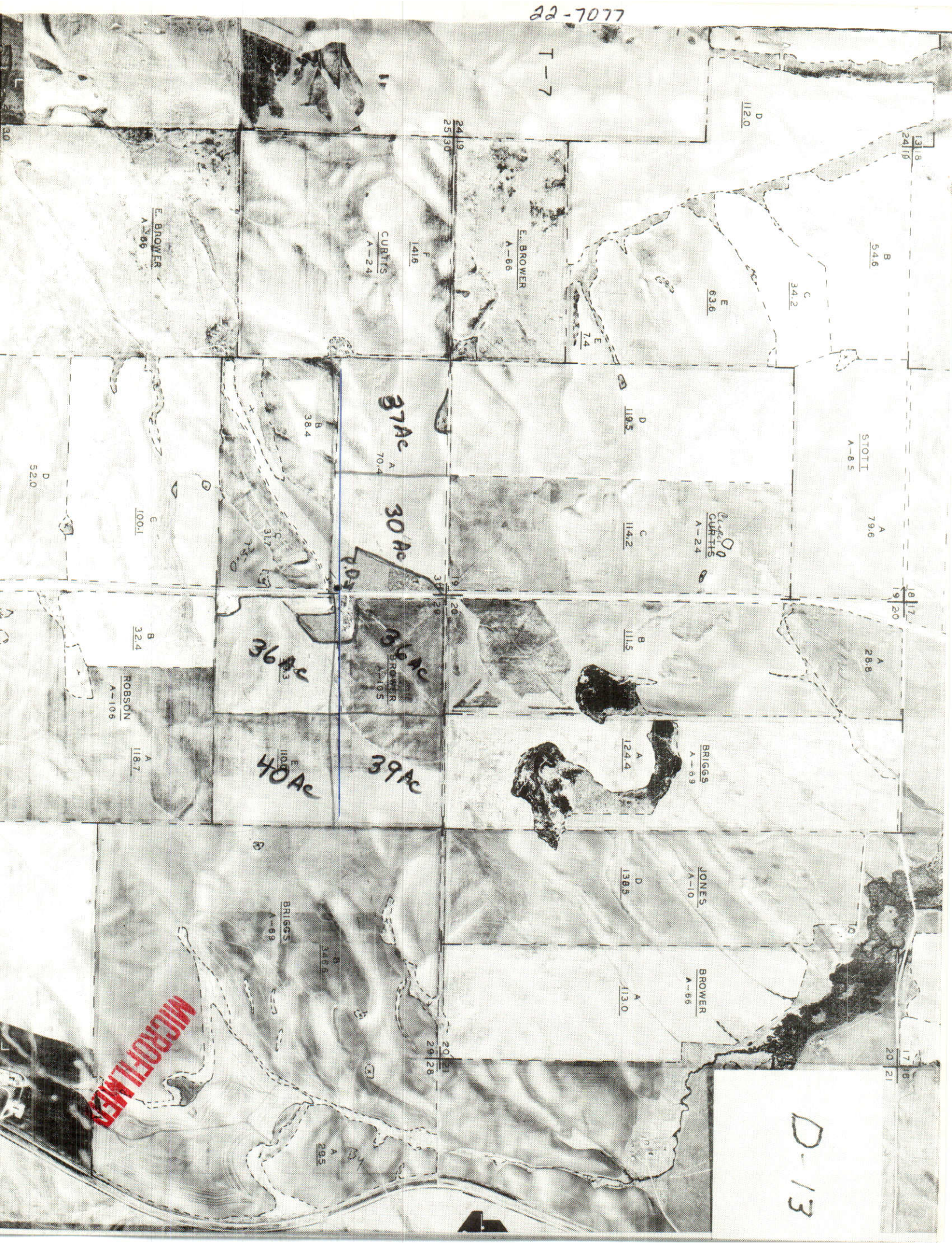


MICROFILMED

JDC

22-7077

T-7



D-13

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: every thing irrigated except farmstead and roadways

Total number of acres irrigated 310

10. Remarks:

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

(Date)

(Signature)

County of Leton

On this 25th day of July, 1978, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Notary Public residing at

My commission expires 9-20-79

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4559
WATER RIGHT NO(S). 22-07077/22-07257/22-07363

This is to certify that: WILLIAM A ROBINSON
MERRILL BROWER & SONS INC
PO BOX 147
TETONIA ID 83452

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. 22-07077 : IRRIGATION	04/15 to 10/15	1.24 CFS	450.1 AF
Right No. 22-07257 : IRRIGATION	04/15 to 10/15	1.88 CFS	682.4 AF
Right No. 22-07363 : IRRIGATION	04/15 to 10/15	1.58 CFS	276.5 AF
	TOTAL:	* 3.99 CFS	1409.0 AF

DATE OF PRIORITY:

Right No. 22-07077 : 07/26/1973
Right No. 22-07257 : 09/02/1977
Right No. 22-07363 : 06/04/1981

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 15, Township 07N, Range 45E
SWNW , Sec. 22, Township 07N, Range 45E
TETON 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>
07N	45E	15	SWNW 35	SENE 15	NESW 40	
			NWSW 38	SWSW 38	SESW 39	
			NWSE 6	SWSE 9		220
	16		SWNE 12	SENE 14	NESW 38	
			NWSW 31	NESE 38	NWSE 35	168
	22		NWNE 27	SWNE 2	NENW 38	
			NWNW 38	SWNW 38	SENE 34	
			NWSW 12			189

Total number of acres irrigated

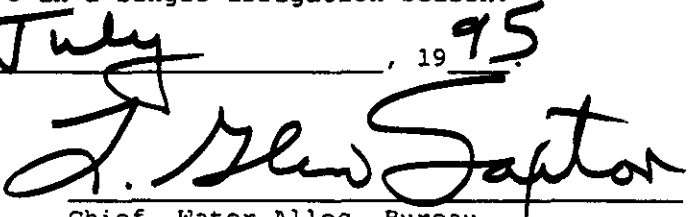
JUL 19 1995

TRANSFER NO. 4559
WATER RIGHT NO(S). 22-07077/22-07257/22-07363

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
3. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- *8. The total instantaneous diversion of water from all points of diversion under Transfer No. 4559 shall not exceed 3.99 cfs, nor total combined annual volume of 1409.0 af.
- *9. Combined Right Nos. 22-07077 and 22-07363 are limited to a total combined diversion rate of 2.11 cfs and when combined with Right No. 22-07257 shall not exceed a total combined rate of diversion of 3.99 cfs.
- **10. Right 22-07077 is limited to the irrigation of 218 acres in the place of use described above in a single irrigation season.
- **11. Right 22-07257 is limited to the irrigation of 280 acres in the place of use described above in a single irrigation season.
- **12. Right 22-07363 is limited to the irrigation of 79 acres in the place of use described above in a single irrigation season.

Dated this 18th day of July, 1995


Chief, Water Alloc. Bureau

MICROFILMED

JUL 19 1995

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4559

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

RECEIVED
JUL 03 1995

Department of Water Resources

Name of applicant Merrill Brower & Sons Inc. and William A. Robinson Phone 456-2803Post Office address P.O. Box 147 Teton Id. 83452

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other _____

2. Describe the reason for the proposed changes Correcting licensed legal description for P.D. on 22-07257. The two wells will be interconnected.

* 22-07077 and 22-07363 are limited in combination to 2.11 cfs

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ae-ft)	Nature of Use	Period of Use
* <u>22-07077</u>	<u>July 26, 1973</u>	<u>1.24</u>	<u>IRRIGATION</u>	<u>4-15</u> to <u>10-15</u>
* <u>22-07363</u>	<u>June 4, 1981</u>	<u>1.58</u>	<u>IRRIGATION</u>	<u>4-15</u> to <u>10-15</u>
<u>22-07257</u>	<u>Sept. 2, 1977</u>	<u>1.88</u>	<u>IRRIGATION</u>	<u>4-1</u> to <u>11-1</u>
				to _____

2. Total amount of water being transferred * 3.99 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SW	SW	15	07N	45E	TETON	Well #1
	NE	SW	NW	22	07N	45E	TETON	Well #2

5. Lands irrigated or place of use:

	Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
				NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
07077	07N	45E	15							35		40			39	6	9			129 (218)
			16			12						38	31			8				89 (218)
07363	07N	45E	16				14													(79)
07257	07N	45E	15							15		38	38							91
			22		27	2		38	38	38	34		12							189 (280)

Total acre TOTAL 577

PART 1**6. General Information:**

- a. Description of diversion system Well #1 is existing
Well #2 will be drilled and system will be integrated.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ☒ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes. Consent & waiver enclosed
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
It will become dryland farm which it is best suited
- d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

Minneapolis**JUL 19 1995**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 In case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 22-07077 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 7/26/1973

5. Water is used for the following purpose:

amount 1.24 for IRRIGATION purposes from 4-15 to 10-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 1.24 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	30	07N	4SE	TETON	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
07N	4SE	29					39	36	36	40									151
		30	30	37															

Total acres 218

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

JUL 19 1995

PART 2**A. DESCRIPTION OF RIGHT AS RECORDED:**

Water Right No. 22-07257

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	1.88 CFS	798.0 AF

SOURCE

GROUNDWATER

Priority: 09/02/1977

LOCATION OF POINT(S) OF DIVERSION:NWNW , Sec. 22, Township 07N, Range 45E
TETON CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N 45E 15	SENW 15	NWSW 38	SWSW 38	91
22	NWNE 27	SWNE 2	NENW 38	
	NWNW 38	SWNW 38	SENW 34	
	NWSW 12			189
		Total number of acres irrigated:		280

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.

.02 cfs per acre

not to exceed 3.0 afa

for the lands above

MICROFILMED

JUL 19 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 22-07257 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 9/2/1977

5. Water is used for the following purpose:

amount 1.88 for IRRIGATION purposes from 4-1 to 11-1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.88 cubic feet per second and/or 798 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	22	07N	4SE	TETON	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
07N	4SE	15								15		38	38						91
		22		27	2		38	38	38	34		12							189

Total acres 91

9. Describe any other water rights used for the same purpose as described above _____

Permit # 22-07102

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED*(If the entire right is to be changed by the applicant, omit part B and C.)*

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

APPROVED

JUL 19 1995
 Total acres _____

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 22-07363

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	1.58 CFS	237.0 AF

SOURCE

GROUNDWATER

Priority: 06/04/1981

LOCATION OF POINT(S) OF DIVERSION:NENE , Sec. 30, Township 07N, Range 45E
TETON CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N 45E 30	SWNE 40	SENE 39		79
Total number of acres irrigated:				79

CONDITIONS/REMARKS:

1. THE MAX. COMBINED RATE OF DIV. UNDER THIS RT. & RT. 22-7077 /
SHALL NOT EXCEED 2.11 CFS.

*see above**see above**see above*

MICROFILMED

JUL 19 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____

b. License No. 22-07363 issued by the Idaho Department of Water Resources.

c. Claim No. _____ on file with the Idaho Department of Water Resources.

d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 6/4/1981

5. Water is used for the following purpose:

amount 1.58 for IRRIGATION purposes from 4-15 to 10-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.58 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion: * Limited to 2.11 cfs in combination w/ 22-07077

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	30	07N	4SE	TETON	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
07N	4SE	30			40	39													79

Total acres 79

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

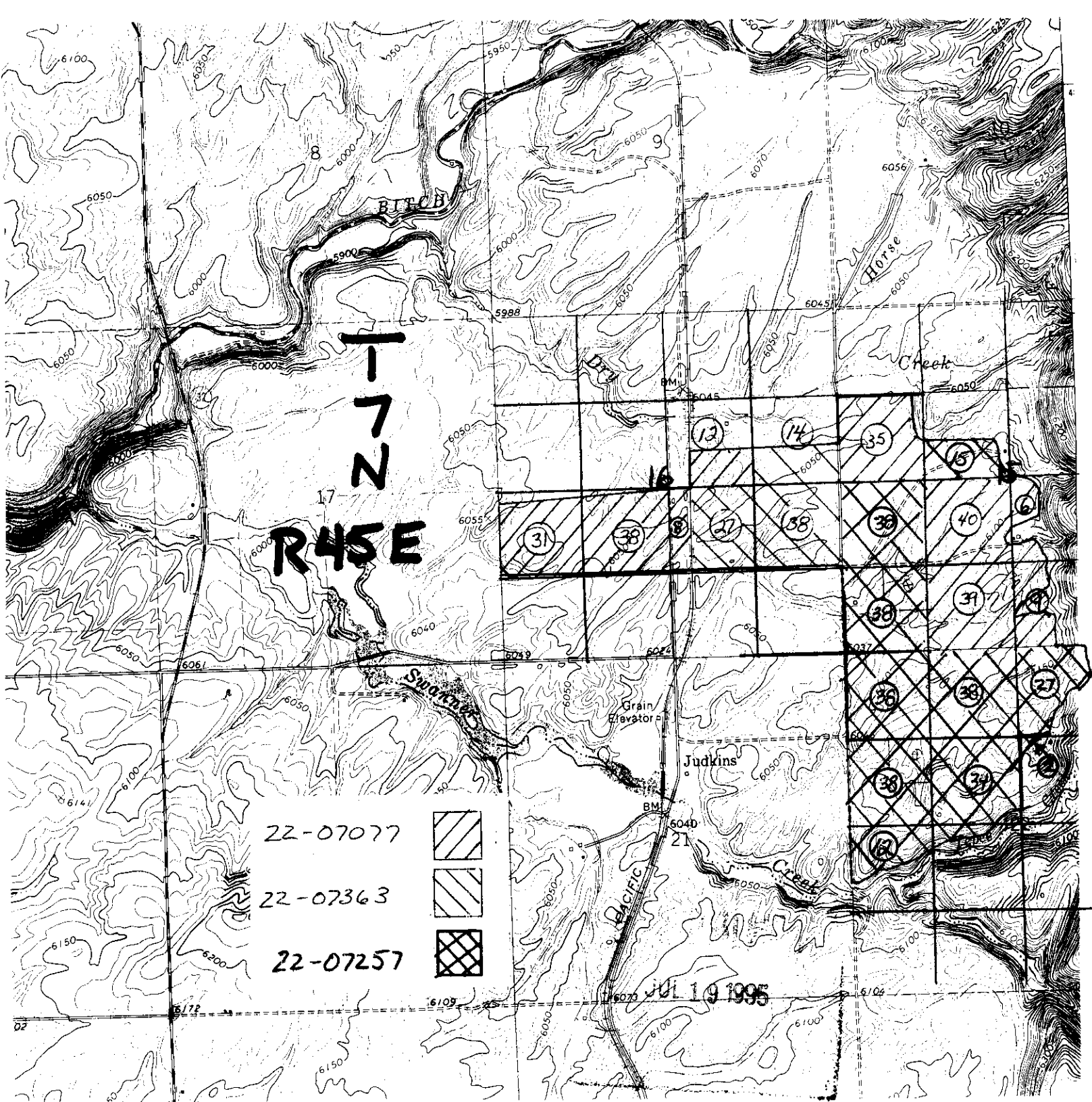
2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____



PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
				to _____
				to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

* I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Merrill Brown & Sons, Inc. Brown U.P.
(Signature of Applicant)

Subscribed and sworn to before me this 3rd day of March, 19 95.

Ray C. Munk
(Notary Public)

My commission expires 2000

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by HT Date 3-3-95 Protest filed by _____

Prelim. check by HWT Fee 100.00 E020743

Received by HT Date 3-3-95

Published in Teton Valley News Copies of protest forwarded by _____

Pub. dates March 10 & 17 - 1995 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by RAC

Copy of transfer sent to lien holder _____

JUL 19 1995

CHECK PAYABLE TO:	TAX BILL/RECEIPT	CODE AREA	7-00	PARCEL NUMBER
COUNTY TAX COLLECTOR				RP07N45E293001
E C. HATCH	TAX YEAR 1994	BILL NO	6150	L 18.11
X 177 DRIGGS, ID 83422				I 59.13
: 208-354-2254				P 7.42
				TOT MV 84.68
TAX 287.97	2ND TAX 287.97	FULL TAX 575.94		HM- 14.22
PEN	HALF PEN	PEN		
INT	INT	INT		NET MV 70.45
COST	COST	COST		
TOT	TOT	TOT		TOT ACS 67.60

BROWER MERRILL & SONS INC
1279 NORTH HWY 32
TETONIA ID 83452

TAXING DISTRICT	**RATE**	**AMOUNT**
STATE	.000000000	
COUNTY	.002714783	191.2
SCH DIST 401	.004166862	293.5
CEM FELT	.000000000	
LIBRARY	.000157869	11.1
LANDFILL		80.0
TOTALS	.007039514	575.9
NET TAX/SPECIALS DUE		575.9

TAX #2035
SEC 29 TTN R45E

* Assessor's Office confirms
ownership of NW 1/4 of Sect 29
by Merrill Brown + Sons

1279 N STATE HWY 32

DELINQUENTS
RP 5653 1993

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

* PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

READ THE BACK OF THIS NOTICE
RETURNED CHECK IS YOUR RECEIPT

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE *COPY*
R. MERRILL & SONS INC 1994
QUENCIES 93 6150

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE *COPY*
BROWER, MERRILL & SONS INC 1994
DELINQUENCIES 93 6150

2ND HALF TAX

1ST HALF TAX FULL TAX

+5E293001A 287.97 RP07N45E293001A 287.97 575.94
JUL 19 1995

JO	7-00	IT	PEN	PEN
IT			INT	INT
			COST	COST
			TOT	TOT

NOT PAID ON OR BEFORE
PAID
Y
JUNE 20, 1995
CHECK #
CASH
NOV 17 '94 12:41

DELINQUENT IF NOT PAID ON OR BEFORE
DATE PAID
PAID BY
208 342 8585
DECEMBER 20, 1994
CHECK #
CASH
PAGE 01

TETON COUNTY

TAX NOTICE AND RECEIPT

KEEP TOP PORTION FOR YOUR RECORDS
PLEASE READ REVERSE SIDE
YOUR CANCELLED CHECK IS YOUR RECEIPT

STATE COUNTY SCH DIST 401
DEM FELT LIBRARY

TAXPAYER VALUE TAX CODE AREA PARCEL NUMBER

1993

L 27727 1116

7-00 RP07N45E300010A

5658

LIBRARY

000158139

20843 SEC 30 T7N R4SE

160.000 BROWER, MERRILL & SONS INC
TOT ACRES 1279 NORTH HWY 32
TETONIA, ID 83452

#COPY#

BROWER, MERRILL & SONS INC
1279 NORTH HWY 32

PLEASE READ THE BACK OF THIS NOTICE
YOUR RETURNED CHECK IS YOUR RECEIPT

TOTAL 007514551 216.76

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH THE 1ST OR FULL PAYMENT.
1993
BROWER, MERRILL & SONS INC
1279 NORTH HWY 32
#COPY#

2ND INSTALLMENT

108.38

RP07N45E300010A
7-00

2nd

RP07N45E300010A

7-00

FULL

TOTAL TAX

216.76

Personal checks are subject to bank clearance.
MADE PERSONAL CHECKS PAYABLE TO

TETON COUNTY TAX COLLECTOR

IT

BONNIE C. HATCH
PO BOX 177 DRIGGS, ID 83422
PHONE: 208-354-2254

DATE PAID
PAID BY

CASH

108.38

1993
JUL 16 1993
716.76

DATE PAID
PAID BY

DECEMBER 20, 1993

DATE PAID
PAID BY

CASH

MAKE CHECK PAYABLE TO:
TETON COUNTY TAX COLLECTOR
BONNIE C. HATCH
PO BOX 177 DRIGGS, ID 83422
PHONE: 208-354-2254

TAX BILL/RECEIPT COUPON A 7-00
TAX YEAR 1994 BILL NO 6139 L

PARCEL NUMBER
RP07N45E222400A
37,130

1ST TAX	138.19	2ND TAX	138.19	FULL TAX	276.38	TOT MV	37,130
HALF PEN		HALF PEN		PEN			
INT		INT		INT			
COST		COST		COST			
TOT		TOT		TOT		TOT ACS	280.000

ROBINSON WILLIAM A
P O BOX 242
TETONIA ID 83452

NW4NE4, NW4, N2SW4
SEC 22 T7N R4SE

TAXING DISTRICT	**RATE**	**AMOUNT**
STATE	.000000000	
COUNTY	.002714783	100.80
SCH DIST 401	.004166862	154.72
CEM FELT	.000000000	
LIBRARY	.000157869	5.86
FIRE CHARGE		13.50
FPA		1.50
TOTALS	.007039514	276.38
NET TAX/SPECIALS DUE		276.38

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

COPY
PLEASE READ THE BACK OF THIS NOTICE
YOUR RETURNED CHECK IS YOUR RECEIPT

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

ROBINSON, WILLIAM A

COPY
1994
6139

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

ROBINSON, WILLIAM A

COPY
1994
6139

2ND HALF TAX

1ST HALF TAX

FULL TAX

RP07N45E222400A

138.19 RP07N45E222400A

138.19

276.38

7-00

7-00

1T

1T

PEN
INT
COST
TOT

PEN
INT
COST
TOT

PEN
INT
COST
TOT

DELINQUENT IF NOT PAID ON OR BEFORE
DATE PAID

JUNE 20, 1995
CHECK #

DELINQUENT IF NOT PAID ON OR BEFORE
DATE PAID

DECEMBER 20, 1994
CHECK #

RECORDED
JUL 19 1995

MAKE CHECK PAYABLE TO:
TETON COUNTY TAX COLLECTOR
BONNIE C. HATCH
PO BOX 177 DRIGGS, ID 83422
PHONE: 208-354-2254

TAX BILL/RECEIPT CODE 7-00
TAX YEAR 1994 BILL NO 6110 L

PARCEL NUMBER
RP07N45E156600A
10,765

1ST TAX	39.15	2ND TAX	39.15	FULL TAX	78.30	TOT MV	10,765
HALF PEN		HALF PEN		PEN			
INT		INT		INT			
COST		COST		COST			
TOT		TOT		TOT		TOT ACS	80.000

ROBINSON WILLIAM A
P O BOX 242
TETONIA ID 83452

TAXING DISTRICT	**RATE**	**AMOUNT**
STATE	.000000000	
COUNTY	.002714783	29.22
SCH DIST 401	.004166862	44.86
CEM FELT	.000000000	
LIBRARY	.000157869	1.70
FIRE CHARGE		2.26
FPA		.26
TOTALS	.007039514	78.30
NET TAX/SPECIALS DUE		78.30

SE4SW4, SW4SE4
SEC 15 T7N R45E

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

COPY PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.
PLEASE READ THE BACK OF THIS NOTICE
YOUR RETURNED CHECK IS YOUR RECEIPT

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

ROBINSON, WILLIAM A

COPY
1994
6110

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

ROBINSON, WILLIAM A

COPY
1994
6110

2ND HALF TAX

1ST HALF TAX

FULL TAX

RP07N45E156600A

39.15 RP07N45E156600A

39.15

78.30

7-00

7-00

1T

1T

PEN
INT
COST
TOT

PEN
INT
COST
TOT

PEN
INT
COST
TOT

DATE PAID

JUNE 20, 1995
CHECK #

DATE PAID

DECEMBER 20, 1994
CHECK #

RECORDED

JUL 19 1995

MAKE CHECK PAYABLE TO: TAX BILL/RECEIPT CODE EA 7-00 PARCEL NUMBER
 TETON COUNTY TAX COLLECTOR BONNIE C. HATCH TAX YEAR 1994 BILL NO 6107 L RP07N45E151200A
 PO BOX 177 DRIGGS, ID 83422 I 37,168
 PHONE: 208-354-2254 1,328,866

1ST TAX 4,905.61 2ND TAX 4,905.61 FULL TAX 9,811.22 TOT MV 1,366,033
 HALF PEN HALF PEN
 INT INT
 COST COST
 TOT TOT TOT ACS 320.000

ROBINSON WILLIAM A
 P O BOX 242
 TETONIA ID 83452

S2N2, E2SE4, W2SW4
 SEC 15 T7N R45E

TAXING DISTRICT **RATE** **AMOUNT**
 STATE .000000000
 COUNTY .002714783 3,708.48
 SCH DIST 401 .004166862 5,692.08
 CEM FELT .000000000
 LIBRARY .000157869 215.66
 LANDFILL 160.00
 FIRE CHARGE 32.50
 FPA 2.50
 TOTALS .007039514 9,811.22
 NET TAX/SPECIALS DUE 9,811.22

152 W 1425 N

*** IMPORTANT ***
 PLEASE READ BOTH FRONT AND BACK

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
 APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE
 RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

COPY PERSONAL CHECKS ARE YOUR RECEIPT
 SUBJECT TO BANK CLEARANCE.
 PLEASE READ THE BACK OF THIS NOTICE
 YOUR RETURNED CHECK IS YOUR RECEIPT

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
 PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

ROBINSON, WILLIAM A

COPY
 1994
 6107

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
 PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

ROBINSON, WILLIAM A

COPY
 1994
 6107

2ND HALF TAX

1ST HALF TAX

FULL TAX

RP07N45E151200A

4,905.61

RP07N45E151200A

4,905.61

9,811.22

7-00

7-00

1T

1T

PEN
 INT
 COST
 TOT

PEN
 INT
 COST
 TOT

PEN
 INT
 COST
 TOT

DEQUENT IF PAID BY CHECK OR PREPAID
 DATE PAID

JUNE 20, 1995
 CHECK #

DEQUENT IF PAID BY CHECK OR PREPAID
 DATE PAID

DECEMBER 20, 1994
 CHECK #

MISSOURI

JUL 19 1995

MAKE CHECK PAY TO:
TETON COUNTY TAX COLLECTOR
BONNIE C. HATCH
PO BOX 177 DRIGGS, ID 83422
PHONE: 208-354-2254

TAX BILL/RECEIPT
TAX YEAR 1994
BILL NO 6109

COU EA 7-00
L

PARCEL NUMBER
RP07N45E154801A
10.174

1ST TAX	37.08	2ND TAX	37.08	FULL TAX	74.16	TOT MV	10.174
HALF PEN		HALF PEN		PEN			
INT		INT		INT			
COST		COST		COST			
TOT		TOT		TOT		TOT ACS	80.000

ROBINSON WILLIAM A
P O BOX 242
TETONIA ID 83452

NW4SE4, NE4SW4
SEC 15 T7N R4SE

TAXING DISTRICT	**RATE**	**AMOUNT**
STATE	.000000000	
COUNTY	.002714783	27.62
SCH DIST 401	.004166862	42.40
CEM FELT	.000000000	
LIBRARY	.000157869	1.62
FIRE CHARGE		2.26
FPA		.26
TOTALS	.007039514	74.16
NET TAX/SPECIALS DUE		74.16

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.
COPY
PLEASE READ THE BACK OF THIS NOTICE
YOUR RETURNED CHECK IS YOUR RECEIPT

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

ROBINSON, WILLIAM A

COPY
1994
6109

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

ROBINSON, WILLIAM A

COPY
1994
6109

2ND HALF TAX

1ST HALF TAX

FULL TAX

RP07N45E154801A

37.08

RP07N45E154801A

37.08

74.16

7-00

7-00

1T

1T

DELINQUENT IF NOT PAID ON OR BEFORE
DATE PAID
CASH

JUNE 20, 1995
CHECK #
CASH

DELINQUENT IF NOT PAID ON OR BEFORE
DATE PAID
CASH

DECEMBER 20, 1994
CHECK #
CASH

RECEIVED
JUL 19 1995

CONSENT and WAIVER

The undersigned, WILLIAM H. ROBINSON, consents and waives any objections as a landholder in property owned by Merrill Brower and Sons, Incorporated to have the water transferred to different property. The water is being transferred to property owned by Merrill Brower and Sons, Incorporated and myself. The water rights being transferred are referred to in the records in the Department of Water Resources as Rights No. 22-7077 and No. 22-7363. The water will be transferred onto Sections 15, 16 and 22, Township 7 North, Range 45 East, Boise Meridian.

I further agree to join in the application for transfer in addition to waive any objection I might have as a landholder in the property owned by Merrill Brower and Sons, Incorporated.

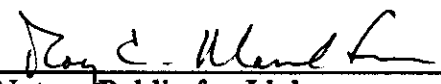
DATED this 3 day of March, 1995.



WILLIAM H. ROBINSON

STATE OF IDAHO)
 :SS.
County of Teton)

On this 3 day of March, in the year of 1995, before me, a Notary Public in and for said State, personally appeared WILLIAM H. ROBINSON, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.



Notary Public for Idaho
Residing at: Boise
My Commission Expires: 2000

JUL 19 1995

CONSENT and WAIVER

The undersigned hereby waive any and all claim or interest we might have in a well and water rights whose diversion point is:

NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 22, Township 7 North, Range 45
East, Boise Meridian, records of Teton County, Idaho;

The place of use of which is:

Part of Sections 15, 16 and 22, Township 7 North, Range 45
East, Boise Meridian, records of Teton County, Idaho;

And identified in the records of the Department of Water Resources as:

Right Nos. 22-7077 and 22-7363.

The undersigned further consent to these waters being transferred to William H. Robinson, that the place of use can be changed to property owned by William H. Robinson and/or Merrill E. Brower and the point of diversion can be changed to properties owned by William H. Robinson as identified in an Application to Transfer Water Right by Edward Brower, Merrill Brower and Zelda Brower dated the 21st day of October, 1994.

DATED this 24 day of February, 1995.


EDWARD BROWER


BEULAH BROWER



JUL 19 1995

STATE OF IDAHO)
 :SS.
County of Teton)

On this 24 day of February, in the year of 1995, before me, a Notary Public in and for said State, personally appeared EDWARD BROWER and BEULAH BROWER, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

De C. Moul
Notary Public for Idaho
Residing at: Origg
My Commission Expires: 2000

NOTARIZED
JUL 19 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 22-7077 Priority July 26, 1973 Amount 1.24 cfs

THIS IS TO CERTIFY, that MERRILL E. & EDWARD BROWER
of Felt, Idaho, has complied with the terms and conditions of Permit
No. 22-7077 issued pursuant to Application for Permit dated July 26, 1973,
and has submitted proof to the Department of Water Resources on July 27, 1978,
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 1.24 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>April 15</u> to <u>October 15</u> at <u>1.24 cfs</u> and <u>450.1 acre feet</u>		
	from _____ at _____ cfs and _____		
	from _____ at _____ cfs and _____		

Subject, however, to the condition that no more than 1.24 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 for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
450.1 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, Twp. 7N,
Rge. 45E, B.M. in the County of Teton

Description and location of place of use:

Twp.	Range	Sec.	Section												Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7N	45E	29				30	36	36	40						151
		30	30	37											67

Total number of acres irrigated 218

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 30th day of
April, 19 81.

Director

DET

Receipt # 4389 MB

RECEIVED

AUG 21 1975

Department of Water Resources
Eastern District Office

APPROVED

Permit No. 22-7077

Comes now Merrill E. and Edward Brower of (address) _____

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 22-7077, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30 Twp. 7N
Rge. 45E, B.M., County of Teton. Other points of diversion:

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.) NO CHANGE

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre feet per annum)

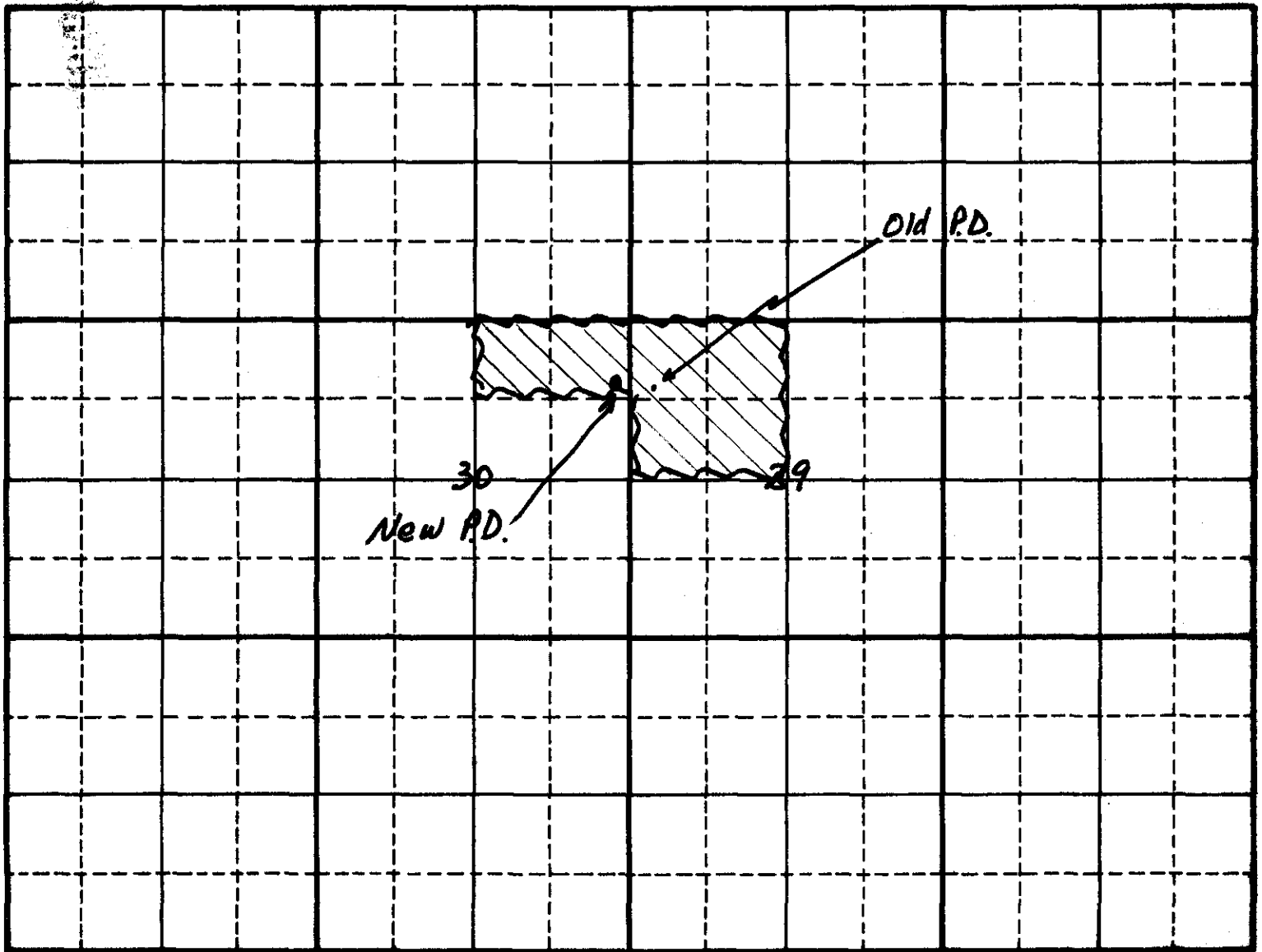
3. Place of use or land to be irrigated: NO CHANGE

[illegible]

Total number of acres to be irrigated

REPRODUCED

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Leet, this 19 day of Aug., 19 75.
Edward Brower
Merrill E. Brower
 (signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Operations Division

I, A. KENNETH DUNN, Administrator, of the Department of Water Resources hereby approve the above application for amendment on the above Permit No. 22-7077.

Witness my hand this 25th day of August, 19 75.

A. Kenneth Dunn
 Director

A. KENNETH DUNN, Administrator, Operations Division

Identification No. 22 7077

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant Merrill Brower and Edward Brower
post office address Felt, Idaho 83424
2. Source of water supply ground water which is a tributary of -----
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 29 Township 7N
Range 45E B.M. Teton 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 4.8 for irrigation purpose from Apr. 15 to Oct. 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. 4.80 cubic feet per second ~~and/or~~
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, turbine pump, electric motor,
sprinklers

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) (Mo. Day)
c. Proposed well diameter is 12 inches; proposed depth of well is 600 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 \$ 25,000.00.
8. Description of proposed uses: N. A.
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: _____

MICROFILMED

22-7077

22-7077

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	45E	29					40	40	40	40									160
7N	45E	30	40	40															80

Total number of acres to be irrigated 240

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

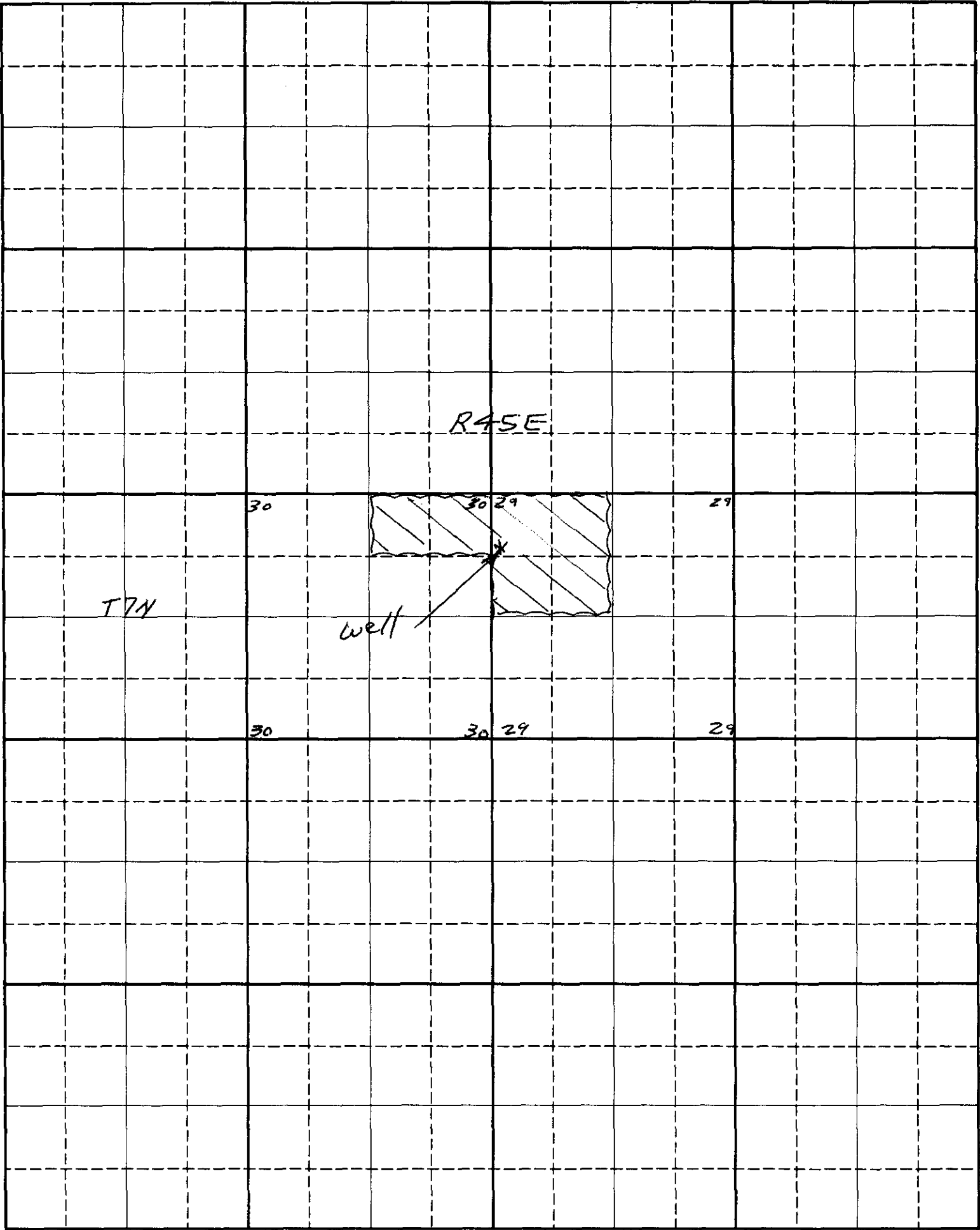
9. a. Who owns the property at the point of diversion Merrill Brower

b. Who owns the land to be irrigated or place of use Applicants

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

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.

E. Edward Brown
Merrill Brown
(Applicant)

22-7077

22-7077

Received by mt Date 7-23-73 Time 10:45
 Preliminary check by NCY Fee \$ 65.00
 Receipted by mt Date 7-26-73 # 10284
 Publication prepared by mt Date 7-26-73
 Published in Leton Valley News
 Publication dates August 2-9, 1973
 Publication approved NCY Date 8/20/73
 Priority reduced to 7-26-73 Reason fee

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by NCY

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 22-7077, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 1978.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 24th day of August 19 73.

[Signature]
 Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>KL</u>	<u>7/23/73</u>	Application No. <u>Blower</u>
(2)			☒ Source ☒ Point of Diversion <u>Not listed</u> ☒ County ☒ Quantity of Water and Period of Use <u>Not listed</u> ☒ Description of Diverting Works " " ☒ Time required for B/U of water " " ☒ Place of Use or Acres Irrigated ☒ Map ☒ Signature ☒ Fee <u>\$10 rec'd - \$65 reg'd</u>
(3)	<u>"</u>	<u>"</u>	In form to receipt: <u>No</u> <u>Retype & Return</u>
	<u>"</u>	<u>"</u>	Send Copies to: <u>U.A.</u> ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	<u>"</u>	<u>"</u>	<u>U.A.</u> ☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M. ☐ Request Information from Applicant
(5)	<u> </u>	<u> </u>	In form for advertising <u>No</u>
(6)	<u> </u>	<u> </u>	Located within Water District No. <u> </u>
(7)	<u> </u>	<u> </u>	Critical groundwater area: yes <u> </u> no <u> </u>
(8)	<u> </u>	<u> </u>	Groundwater levels: <u> </u> Decline (comment) <u> </u> <u> </u> Stable (comment) <u> </u> <u> </u> Increasing (comment) <u> </u>
(9)	<u> </u>	<u> </u>	Comments: <u> </u> <u> </u>
(10)	<u> </u>	<u> </u>	Affidavit of Publication received (date) <u> </u>
(11)	<u> </u>	<u> </u>	Final date for protests <u> </u> Protests received: yes <u> </u> no <u> </u>
(12)	<u> </u>	<u> </u>	Date and Place of hearing <u> </u> Decision reached at hearing <u> </u> <u> </u>
(13)	<u> </u>	<u> </u>	All requested information received from agencies or applicant yes <u> </u> no <u> </u>
(14)	<u> </u>	<u> </u>	Action recommended: <u> </u> Approve <u> </u> Priority <u> </u> <u> </u> Deny <u> </u> Reason for Reduction <u> </u> <u> </u> Measuring device required <u> </u> See attached sheet for additional conditions of approval <u> </u> No additional conditions for approval
(15)	District <u> </u>	By <u> </u> Date <u> </u>	

MICROFILMED

22-7077

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>NCY</u>	<u>7/26/73</u>	Application No. <u>22-7077</u> <u>Brower</u>
(2)			☒ 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
(3)	<u>"</u>	<u>"</u>	In form to receipt <u>Yes</u>
	<u>"</u>	<u>"</u>	Send Copies to: <u>N.A.</u> ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	<u>"</u>	<u>"</u>	<u>N.A.</u> ☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M. ☐ Request Information from Applicant
(5)	<u>"</u>	<u>"</u>	In form for advertising <u>for</u>
(6)	<u>"</u>	<u>"</u>	Located within Water District No. <u>N.A.</u>
(7)	<u>"</u>	<u>"</u>	Critical groundwater area: yes <u>no</u> ☒
(8)	<u>"</u>	<u>"</u>	Groundwater levels: ☐ Decline (comment) _____ ☐ Stable (comment) <u>No nearby obs wells</u> ☐ Increasing (comment) _____
(9)	<u>"</u>	<u>"</u>	Comments: <u>No other GW rights on this land shown on E-D. plat</u>
(10)	<u>mb</u>	<u>8/13/73</u>	Affidavit of Publication received (date) <u>Open 8-13-73</u>
(11)			Final date for protests <u>Aug. 20, 1973</u> Protests received: yes <u>no</u>
(12)			Date and Place of hearing <u>N.A.</u> Decision reached at hearing _____
(13)	<u>NCY</u>	<u>8/20/73</u>	All requested information received from agencies or applicant yes <u>no</u>
(14)	<u>"</u>	<u>"</u>	Action recommended: ☒ Approve Priority <u>7/26/73</u> ☐ Deny Reason for Reduction <u>fee</u> ☒ Measuring device required ☐ See attached sheet for additional conditions of approval ☐ No additional conditions for approval
(15)	District <u>E</u>	By <u>NCY</u>	Date <u>8/20/73</u>

MICROFILMED

22-7077

AFFIDAVIT OF PUBLICATION

State of Idaho, ss.
County of Teton

I, Louise L. Norton
being first duly sworn depose and say

that I am the publisher
of the Teton Valley News, a news-
paper as defined by Idaho Codes Anno-
tated, Section 58-106, as amended, and
that said newspaper is a weekly news-
paper printed and published at Driggs,
in Teton County, Idaho, having a gen-
eral circulation in said county, and that
said newspaper has been printed in
said county for more than 78 consecu-
tive weeks prior to the first publication
of the attached notice, advertisement
or publication of

Notice of Application for Water
Permit: Merrill & Edward Brower

And affiant further says that said
attached notice, advertisement or pub-
lication, as per clipping attached, was
published in said newspaper, in the
regular and entire issue thereof, and
not in any supplement issue thereof,

for 2 consecutive issues thereof;
first publication having been made on

the 2 day of August

19 73

and last publication on the 9

day of August, 19 73

And affiant further says that at the
times herein mentioned said newspaper
was made up of at least four pages
of at least five columns each, printed
from type matter, of at least seven-
teen and three-fourths inches deep.

Louise L. Norton

Subscribed in my presence and sworn

to before me this 9 day of

August, 19 73

(SEAL) Notary Public for the State of
Idaho, residence and postoffice
address, Driggs, Idaho.

My Commission expires
Earl G. Sewell, Notary Public
My Commission Expires 1974

Earl G. Sewell

RECEIVED

AUG 11 1973

Department of Water
Eastern District



22-7077

WR 22-07077

1. DRILLING PERMIT NO. 22-95-E-158 .000
Other IDWR No. 4559-2E-070-77

2. OWNER:
Name Bill Robinson
Address P.O. 119
City Tetonia State Id Zip 83452

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.



Twp. 7 North ☒ or South ☐
 Rge. 45 East ☒ or West ☐
 Sec. 22 1/4 SW 1/4 NW 1/4
 Gov't Lot _____ County _____

10 acres 40 acres 160 acres

Address of Well Site Bill Robinson Bar
Jack Pine road City Felt Ida
 (Give at least name of road - Distance to Road or Landmark)

Lt. _____ Blk. _____ Sub. Name _____

4. PROPOSED USE:

☐ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other

5. ~~TYPE~~ OF WORK

☒ New Well ☒ Modify or Repair ☐ Replacement ☐ Abandonment

6. DRILL METHOD

☐ Mud Rotary ☐ Air Rotary ☒ Cable ☐ Other

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
Concrete	0	18		Pump

Was drive shoe used? Y ☐ N ☒

Was drive shoe seal tested? Y ☐ N ☐ How?

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
24"	+1	18'	312	steel	☒	☐	☐	☐
14"	1155	1285	250	21	☐	☒	☒	☐
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

☒ Perforations Method Cutting Touch
☐ Screens Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
1155	1285	4x6"	300			☐	☒
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

66 ft. below ground Artesian pressure lb.

Depth flow encountered _____ ft. Describe access port or _____

2 1/2" F.P. 30" length 45°
Thru Concrete Into Surface
D128-
FORWARD WHITE COP

11. WELL TESTS:

☒ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
1280	320	380	6 hr

Water Temp. 55° Bottom hole temp. 55°

Water Quality test or comments: Good

12. LITHOLOGIC LOG: (Describe repairs or abandonment) Water

[illegible]

Completed Depth 1290' (Measurable)
Date: Started Nov 1996 Completed Dec 1997

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Arlo P Lloyd Dullens Co Firm No. 102

Firm Official W. P. Lloyd Date Dec 27, 1997

Supervisor or Operator _____ Date _____

(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

WELL DRILLER'S REPORT

Use Typewriter or Ballpoint Pen

Office Use Only		
Inspected by		
Twp	Rge	Sec
1/4	1/4	1/4
Lat	:	Long
:	:	:

1. DRILLING PERMIT NO. 22-95-E-158-000

Other IDWR No. T#4559/22-07077

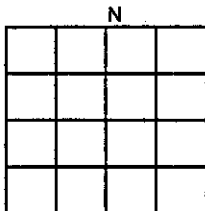
2. OWNER:

Name William A. Robinson

Address %Merrill Brower & Sons / P.O. Box 147

City Teton State ID Zip 83452

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.Twp. 7 North ☒ or South ☐Rge. 45 East ☒ or West ☐

Sec. 22, 1/4, SW 1/4, NW 1/4

10 Acres 40 Acres 160 Acres

Gov't Lot County Teton

Lat: : : Long: : :

Address of Well Site

City

(Give at least name of Road+ Distance to Road or Landmark)

Lot No. Block No. Subd. Name

4. USE:

☐ Domestic ☐ Municipal ☐ Monitor☐ Thermal ☐ Injection ☐ Other

5. TYPE OF WORK check all that apply (Replacement ect.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other

6. DRILL METHOD

☐ Air Rotary ☒ Cable ☐ Mud Rotary ☐ Other

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	
Material	From	To	Sacks or Pounds	Method
Bentonite	0	18	600	Overbore

Was drive shoe used? ☐ Y ☒ N Shoe Depth(s)Was drive shoe seal tested? ☐ Y ☒ N How?

8. CASING/LINER

Dia	From	To	Gauge	Material	Casing	Liner
24	+2	18	.375	Steel	☒	☐
					☐	☐
					☐	☐

Length of Headpipe: Length of Tailpipe

9. PERFORATIONS/SCREENS:

☐ Perforations Method☐ Screens Screen Type

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
						☐	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

53 ft below ground Artesian pressure lb

Depth flow encountered ft Describe access port or

control devices: Welded Lid on Casing

11. WELL TESTS:

☐ Pump ☒ Bailer ☐ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Pumping Level	Time
175GPM	195ft	248ft	4 hrs

Water Temp. Bottom hole temp.

Water Quality test or comments:

Depth first Water Encountered:

12. LITHOLOGIC LOG: (Describe repairs or abandonment) Water

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
30	0	14	Brown Silt & Gravel		X
	14	18	Brown Rhyolite, some clay		X
24	18	27	Brown Rhyolite		X
	27	30	Gray Basalt, Hard		X
	30	40	Brown Rhyolite		X
	40	44	Brown Rhyolite, Soft		X
	44	50	Broken Brown Rhyolite		X
	50	85	Brown Rhyolite		X
	85	110	Broken Rhyolite		X
20	110	115	Broken Rhyolite		X
	115	150	Reddish Brown Rhyolite		X
	150	163	Gray to Brown Rhyolite		X
	163	230	Tan & Lt Brown Rhyolite		X
	230	308	Lt. Brown Rhyolite		X
	308	370	Gray Rhyolite, Hard		X
	370	425	Softer Dk Gray Rhyolite		X
	425	452	Lt. Gray Rhyolite		X
	452	480	Lt. Brown w/Gray Rhyolite		X
	480	600	Lt. Brown w/Gray Rhyolite		X
	600	862	Brown Rhyolite w/streaks of gray, firm		X

Completed Depth 862 (Measureable)

Date: Started: 10/18/95 Completed: 7/15/96

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm: Andrew Well Drilling Services, Inc. Firm #5

Firm Official: Date: 11/18/96

and Supervisor/Operator: Date: 11/18/96

Sign once if Firm Official & Operator



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JULY 18, 1995

WILLIAM A ROBINSON
MERRILL BROWER & SONS INC
PO BOX 147
TETONIA ID 83452

Transfer of Water Right Nos. 22-07077/22-07257/22-07363

Dear Water Right Holder(s):

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water rights (Transfer No. 4559). Please be sure to thoroughly review the "Conditions/Remarks:" as listed on the transfer.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

Enclosure

MIDDOEN MEN

11 19 1995

MEMORANDUM

TO: FILE NOS. 22-07077, 22-07257 & 22-07363

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: TRANSFER NO. 4559

DATE: July 12, 1995

=====

Transfer No. 4559 was filed to change and add a point of diversion and change the place of use under Right Nos. 22-07077, 22-07257 and 22-07363. The two wells will be interconnected and serve the combined system creating a permissible place of use.

Season of use and diversion volume were adjusted to current standards. The combined use of rights is limited by licensing conditions on Right No. 22-07363 developed from the same well as 22-07077. These rights were developed and licensed with low rates and volumes per acre. The only overlapping right is a partially overlapping permit for irrigation of 200 acres with surface water.

22-07077	1.24 cfs	450.1 afa(Vdr)	218 acres
22-07363	1.58 "	276.5 " (Vir)	79 "
Combined	*2.11 cfs	726.6 afa	297 acres

(Max Vdr) 2.11 cfs x 183 days x 1.9835 = 765.9 afa
 (Vir) 3.5 af x 297 acres = 1,039.5 afa

22-07257	1.88 cfs	682.4 afa(Vdr)	280 acres
All Combined	*3.99 cfs	1,409.0 afa	577 acres

(Max Vdr) 3.99 cfs x 183 days x 1.9835 = 1,448.3 afa
 (Vir) 3.5 af x 577 acres = 2,019.5 afa

Combined use conditions will be applied to limit the total diversion and prevent expansion under this transfer. Other recommended conditions include drilling permit requirements, irrigation overlap, right-of-way, permissible place of use limits, multiple points of diversion/measuring devices and standard transfer conditions.

MINOR REVISION

JUL 19 1995

TRANSFER REVIEW SHEET
(04-95)

Transfer # 4559

Date Reviewed 07-11-95

Right(s) 22-07077 _____
22-07257 _____
22-07363 _____

☒ Print Split Summary

☒ Run POU Comparison Report

B:Change P/D C:Add P/D D:Change P/U E:Change Nature of Use
F:Change Period of Use G:Other H:Change P/D & Add P/D
I:Change P/D & P/U J:Add P/D & Change P/U

Proof of Ownership Applicants Tax Notices - cover all transferred Acres

Consent & Waiver approving Transfer from Edward & Beulah Brower 2-24-95

Transfer ☒ All of Right _____ Portion of Right
Resulting Split(s) NONE

Check Transfer Against Right

Season/Vol. B/3.5

(1) ☒ Priority (2) ☒ Use (3) _____ Season (4) _____ Rate (5) _____ Volume

(6) ☒ Source (7) _____ P/D (8) _____ P/U (9) ☒ Proof/Owner (10) ☒ Map

(11) NA Water District (12) Yes Pertinent Conditions (13) NO Expansion
Combined Limits Combined & PP/U limits

(3) Standard Season 4-15 to 10-15 - Adjust 22-07257
(4) Rates are licensed at low rates per acre - Combined Rts. Condition
(5) < Standard 3.5afa - Combined Rts limited by Total Diversion
 $3.99 \times 1.83 \times 1.9835 = 1448.3 \text{ afa}$ > Total of Individual Vols from each right.
Reduce Vol on 22-07257/Season Reduced $\rightarrow 450.1 + 276.5 + 682.4 = 1409.0 \text{ afa}$
Allow standard 3.5afa on 22-07363 $= 79 \times 3.5 = 276.5$ $\rightarrow 1.88 \times 1.83 \times 1.9835 = 682.4 \text{ afa}$
(7) Add 2nd P/D each rt.
(8) Combine P/U - Single interconnected system
3.99 cfs 577 Acres 1409 afa

Mr Brower states both wells will be connected to serve all 3 rts, but separate ownership.
1409 afa 7077 + 7363 - 2.11 cfs of land.

Transfer Remarks Combined Limits - All 3.99 cfs PP/U limits WB4
Conditions 0416, R30, T04, T07, T08, T09 T17

Database/Processing Notes I files

Edit 22-07077 to single Rt Remarks when approved
Special Edit - * cfs total/condition PP/U Conditions/Acres 50 1/11/95

WR Reports File _____

Transfer Memo Complete ☒

WR0749NP
No. 322-07077 #

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/12/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WILLIAM A. ROBINSON /	07/26/1973	IRRIGATION	04-15 10-15	1.240 CFS	450.10 AFA
C	NEWELL BROS & SONS INC					
	PO BOX 147					
	TETONIA ID 83452					
	(208) 456-2803					
TOTAL DIVERSION:					1.240 CFS	450.10 AFA
TOTALS					* 3.99 cfs	1409.0 afa

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

J07N R45E S15
S22 SWNW

TETON County
TETON County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE								
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
07N	45E	15	:							35		15	:	40		38		39	:	220.0
07N	45E	16	:			12		14	:					38		35		09	:	168.0
07N	45E	22	:	27		02			:	38		38		38		34			:	189.0
TOTAL ACRES																			* * 377.0	

Pou County: TETON

Other Water Rights Listing Overlapping Place(s) of use:

22-00174B 22-07102 22-07257 T22-07257 T22-07363

Conditions of Approval:

- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- R30 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
- T04 - Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
- T07 - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T08 - Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- T17 - Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Remarks: The total instantaneous diversion of water from all points of

WR0749NP
No. T22-07077

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/12/95
PAGE: 2

Remarks: diversion under Transfer No. ~~22-07077~~ shall not exceed ~~3.99 cfs~~
nor total combined annual volume of ~~1,000,000 gal~~
Combined Right Nos. ~~22-07077~~ and ~~22-07077~~ are limited to a total
combined diversion rate of ~~3.99 cfs~~ and when combined with Right
No. ~~22-07077~~ shall not exceed a total combined rate of diversion
of ~~3.99 cfs~~
Right ~~22-07077~~ is limited to the irrigation of ~~218~~ acres in the
place of use described above in a single irrigation season.
~~Right ~~22-07077~~ is limited to the irrigation of ~~218~~ acres in the~~
~~place of use described above in a single irrigation season.~~
~~Right ~~22-07077~~ is limited to the irrigation of ~~218~~ acres in the~~
~~place of use described above in a single irrigation season.~~

Delete
when approved

Dates: App. Received: Priority Date: 07/26/1973
Proof Due Date: 08/01/1978 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 04/12/1982

Misc: Water District Number: Field Exam Fee:

Comments: Date: 07/10/1995 User-ID: SCURTIS Subject: TRANSFER NO. 4559
Trans. #4559 was filed to correct legal description of points
of diversion. Two wells are interconnected and serve 577 acres;
permissible place of use will be shown for each right under
the transfer - 22-07077/07257/07363.

Audit: 03/06/95 RBODELL 07/10/95 SCURTIS 07/10/95 SCURTIS

WR0749NP
No. ~~22-07257~~

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/12/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	~~ROBERT L. BOWEN INC~~ ~~PO BOX 147~~ ~~TETONIA ID 83452~~ ~~(208) 456-2803~~	09/02/1977	IRRIGATION	~~09-15~~ 10-15	1.880 CFS	682.40 AFA
				TOTAL DIVERSION:	* 1.880 CFS	682.40 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

~~107N R45E S15~~ SWSW
~~S22~~ SWNW

TETON County
TETON County

Place of use Legal Description for: IRRIGATION

NE								NW								SW								SE								
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM			
07N	45E	15											35	15			40	38	38	39					06	09		220.0				
07N	45E	16						12	14								38	31					38	35				168.0				
07N	45E	22						27	02				38	38	38	34			12									189.0				
TOTAL ACRES																												* * 577.0				

Pou County: TETON

Other Water Rights with Same Point(s) of Diversion and Source:
T22-07077 T22-07363

Other Water Rights Listing Overlapping Place(s) of use:
22-00174B 22-07102 22-07257 T22-07077 T22-07363

Conditions of Approval:

- ~~046~~ - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- ~~R30~~ - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
- ~~T04~~ - Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
- ~~T07~~ - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- ~~T08~~ - Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- ~~T09~~ - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- ~~T17~~ - Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow

Conditions of Approval:

- determination of the total rate of diversion.

Remarks: The total instantaneous diversion of water from all points of diversion under Transfer No. 4559 shall not exceed 577 cfs, nor total combined annual volume of 1607.0 af;
* Combined Right Nos. 22-07077 and 22-07363 are limited to a total combined diversion rate of 2.11 cfs and when combined with Right No. 4559 shall not exceed a total combined rate of diversion of 577 cfs;
** Right 22-07257 is limited to the irrigation of 280 acres in the place of use described above in a single irrigation season.

Dates: App. Received: 09/02/1977 Priority Date: 09/02/1977
Proof Due Date: 11/01/1982 Proof Made Date: 10/29/1982
Exam Made Date: 08/05/1983 Exam Sent to S.O.:
Licensed Date: 04/19/1990

Misc: Water District Number: Field Exam Fee:

Comments: Date: 07/10/1995 User-ID: SCURTIS Subject: TRANSFER NO. 4559;
Trans. #4559 was filed to correct legal description of points of diversion. Two wells are interconnected and serve 577 acres; permissible place of use will be shown for each right under the transfer - 22-07077/07257/07363.

Audit: 03/06/95 RBODELL 07/10/95 SCURTIS 07/12/95 PSKAGGS

WR0749NP
No. ~~8722-07363~~

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/12/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	~~WILLIAM F. ROBINSON~~ PO BOX 147 TETONIA ID 83452 (208) 456-2803	06/04/1981	IRRIGATION	04-15-10-15	1.580 CFS	276.50 AFA
TOTAL DIVERSION:					~~1.580 CFS~~	~~276.50 AFA~~

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

~~07N 45E 015~~
~~000~~

TETON County
TETON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
07N	45E	15	:							35	15	40	38	38	39		06	09		220.0
07N	45E	16	:			12	14					38	31			38	35			168.0
07N	45E	22	:		27	02		38	38	38	34		12							189.0
TOTAL ACRES																			~~577.0~~	

Pou County: TETON

Other Water Rights with Same Point(s) of Diversion and Source:
T22-07077 T22-07257

Other Water Rights Listing Overlapping Place(s) of use:
22-001748 22-07102 22-07257 T22-07077 T22-07257

Conditions of Approval:

- ~~046~~ - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- ~~R30~~ - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
- ~~T04~~ - Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
- ~~T07~~ - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- ~~T08~~ - Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- ~~T09~~ - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- ~~T17~~ - Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow

WR0749NP
No. T22-07363

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/12/95
PAGE: 2

Conditions of Approval:

- determination of the total rate of diversion.

Remarks: The total instantaneous diversion of water from all points of diversion under Transfer No. 4559 shall not exceed 2.5 cfs, nor total combined annual volume of 1122.2 af.
* Combined Right Nos. 22-07077 and 22-07257 are limited to a total combined diversion rate of 2.5 cfs and when combined with Right No. 22-07363 shall not exceed a total combined rate of diversion of 2.5 cfs.
* * Right 22-07363 is limited to the irrigation of 577 acres in the place of use described above in a single irrigation season.

Dates: App. Received: Priority Date: 06/04/1981
Proof Due Date: 09/01/1982 Proof Made Date: 10/02/1981
Exam Made Date: 07/21/1982 Exam Sent to S.O.:
Licensed Date: 07/28/1986

Misc: Water District Number: Field Exam Fee:

Comments: Date: 07/10/1995 User-ID: SCURTIS Subject: TRANSFER NO. 4559
Trans. #4559 was filed to correct legal description of points of diversion. Two wells are interconnected and serve 577 acres; permissible place of use will be shown for each right under the transfer - 22-07077/07257/07363.

Audit: 03/06/95 RBODELL 07/10/95 SCURTIS 07/12/95 PSKAGGS

WR5809NP
No. 22-07182

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/13/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	G. LYNN RUDD	08/06/1974	IRRIGATION	04-15 10-15	4.000 CFS	
C	LUCILLE L. RUDD RT. 2 BOX 18 ST. ANTHONY ID 83445		STOCKWATER	05-01 11-01	0.040 CFS	
TOTAL DIVERSION:					4.040 CFS	

Water Source: TEPEE CREEK

Tributary to: BITCH CREEK

Stage: PERMIT

Point(s) of Diversion: T07N R45E S22 NWSW TETON County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
07N	45E	22	:		40		40	:		40		40	:					:						200.0
TOTAL ACRES																							200.0	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Pou County: TETON

Other Water Rights Listing Overlapping Place(s) of use:
22-07257 22-07077 22-07257 22-07363

Dates:	App. Received:	Priority Date:	08/06/1974
	Proof Due Date: 01/01/1985	Proof Made Date:	06/28/1983
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 01 Field Exam Fee: R (Received)

Audit: 09/22/87 05/22/88 CONVERT

Partially Overlapping Permit

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM					
		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac							
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac								
T07N R45E S 15																							
New proposed PP/U - No Overlaps of Concern																							
T2207077	GROUNDWATE :										35	15	:	40	38	38	39	:	6	9	:	220	
A2207257	GROUNDWATE :														15	:	38	38	:			:	91
T2207257	GROUNDWATE :														15	:	38	38	:			:	91
T2207363	GROUNDWATE :										35	15	:	40	38	38	39	:	6	9	:	220	
--86 MAP--	C43Q-W 49 :										35	15	:	40	38	38	39	:	6	9	:	220	
										2	36	13	:		26			:			:	77	

T07N R45E S 16																		
2200174B	BADGER CREE :									40				33	40			113
T2207077	GROUNDWATE :									12	14			38	31		38	168
T2207257	GROUNDWATE :									12	14			38	31		38	168
T2207363	GROUNDWATE :									12	14			38	31		38	168
--86 MAP--	C43Q-W 49 :									1	14						13	28

T07N R45E S 22																		
T2207077	GROUNDWATE :									27	2		38	38	38	34	12	189
2207102	TEPEE CREE :									40	40		40	40	40			200
T2207257	GROUNDWATE :									27	2		38	38	38	34	12	189
A2207257	GROUNDWATE :									27	2		38	38	38	34	12	189
T2207257	GROUNDWATE :									27	2		38	38	38	34	12	189
T2207363	GROUNDWATE :									27	2		38	38	38	34	12	189
NO MAPPING INFO AVAILABLE																		

T07N R45E S 29																		
2207077	GROUNDWATE :													39	36	36	40	151
A2207077	GROUNDWATE :									40				39	36	36		151
--86 MAP--	C81Q-W 49 :									14	16			30	37	38	35	347

T07N R45E S 30																		
2207012	GROUNDWATE :													39	01-39	02-39	40	157
A2207012	GROUNDWATE :													39	01-39	02-39	40	157
2207077	GROUNDWATE :									30	37							67
A2207077	GROUNDWATE :									30	37							67
2207363	GROUNDWATE :													40	39			79
A2207363	GROUNDWATE :													40	39			79

WR0725NP
(00-725)

IDAHO DEPARTMENT OF WATER RESOURCES
T-R-S PLACE OF USE 1/4 1/4 COMPARISON REPORT

DATE: 07/11/95
PAGE: 2

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

```
=====
WR-NUMBER  SOURCE  NE      NW      SW      SE      NE      NW      SW      SE      NE      NW      SW      SE      NE      NW      SW      SE      SUM
                Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac
-----
--86 MAP-- C81Q-W 49 :   39   41   23   23 :   41           39 :   40           41 :           11   10 : 308
NO QTRS  MAPPING  Lot01-39 Lot02-40 Lot03-38 Lot04-36
--86 MAP-- C0Q-W 49 :           1           :           :           :           :           : 1
=====
```

WR5747NP

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NUMBER INDEX

DATE: 07/10/95
PAGE: 1

WATER RIGHT
NUMBER

NAME

CFS

22-07077

BROWER , MERRILL E.
BROWER , EDWARD

1.24

WR5747NP

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NUMBER INDEX

DATE: 07/10/95

PAGE: 1

WATER RIGHT
NUMBER

NAME

CFS

22-07257

RUDD , G. LYNN

1.88

T# 4559

WR5747NP

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NUMBER INDEX

DATE: 07/10/95

PAGE: 1

WATER RIGHT
NUMBER

NAME

CFS

22-07363

BROWER , MERRILL

1.58

T# 4559

3-6-95
3-6-95-HWJ

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: HWJ Merrill William A.

1. Right number 22-07077, 22-07363 Applicant Brower & Sons, Inc. and Robinson
22-07257

2. Type of right: ☐ Decree ☐ License ☐ Claim

3. Purpose of transfer: ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Other _____

4. Check:

a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use

b. ☒ Description of original point of diversion.

c. ☒ Description of original place of use.

5. Amount of land &/or water transferred:

a. ☒ All of right.

b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).

c. ☒ Check description of point(s) of diversion.

d. ☒ Check description of place of use.

e. ☐ Check map (shows p.d. and p.u. after transfer).

f. ☒ Check for correct signature, notarization, and fee.

g. ☒ Check proof of ownership of right &/or land from which water is transferred. check out scd. 29

h. ☒ Check for expansion in use of right. Comments _____

i. ☐ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) _____

j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No

If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____

2. Is transfer published correctly? ☒ Yes ☐ No

3. Protest received? ☒ Yes ☐ No

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

3. Conditions* _____

4. By BDC Date 6/29/95

RECEIVED

JUL 03 1995

copy Department of Water Resources 3-13-95

* All uses within Watermaster Districts require special conditions.

Ad to S.O. 3-10-95

INTER-DEPARTMENT MEMO

TO: Tr. 4559

SUBJECT: Pre-hearing Conf

FROM: H.W. JONES

DATE: 6-28-95

The pre-hearing conf was held but no resolution was achieved. Later the parties talked again and reduced their differences. I do not know the actual resolution but the withdrawal of protest was sent in without further comment.

MICROFILMED

JUL 19 1995

(X) For your information

() Response required

RECEIVED

JUL 03 1995

Department of Water Resources

H.W. Jones
signature



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

June 20, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MERRILL BROWER & SONS
WILLIAM A ROBINSON
PO BOX 147
TETONIA ID 83452

RE: Withdrawal of protest on Application for Transfer of
a Water Right No. 4559

Dear Applicants:

This Department has received a withdrawal of protest from
Richard & Michele Briggs.

If you have any questions, please call our office.

Sincerely,


HAROLD JONES
Water Rights Supervisor

HWJ/rb

RECEIVED

JUN 29 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

PHILIP E. BATT
GOVERNOR

June 20, 1995

KARL J. DREHER
DIRECTOR

RICHARD & MICHELE BRIGGS
75 NORTH MAIN
DRIGGS ID 83422

RE: Withdrawal of protest on Application for Transfer of
a Water Right No. 4559

Dear Protestants:

This Department has received your withdrawal of protest
of the transfer filed by Merrill Brower & Sons, Inc., and
William A. Robinson.

If you have any questions, please call our office.

Sincerely,

Harold Jones rb
HAROLD JONES
Water Rights Supervisor

HWJ/rb

RECORDED

JUL 19 1995

RICHARD and MICHELE BRIGGS

75 North Main
Driggs, Idaho 83422

June 16, 1995

Department of Water Resources
ATTN: Skip Jones
900 North Skyline Drive
Idaho Falls, Idaho 83405

RE: APPLICATION #4559, BROWER/ROBINSON TRANSFER

Dear Mr. Jones:

This letter should be considered a formal written notice that I am withdrawing my objection to Brower moving their well and point of diversion as indicated in Application #4559. As far as I am concerned you can authorize the transfer.

Thank you for your cooperation.

Sincerely,



Richard Briggs

RB:pb

RECEIVED

JUL 19 1995

PREHEARING CONFERENCE
FOR
MERRILL BROWER & SONS, INC., & WILLIAM A. ROBINSON

9:30 A.M.
MAY 30, 1995
IDWR
IDAHO FALLS, ID

NAME

REPRESENTING

ADDRESS

James Brower *Merrill Brower & Sons* *Box 147 Teton*
83452

Richard Buggs *Self* *Box 68 Teton*
83452

MICROFILMED

JUL 19 1995

T4559 Conf.

5-26-85

Applicant Testimony -

- 1/ 1973 First well - raised potatoes
CRP program - 8 years ago (3 pieces)
- 2/ Robinson bought adj. property last year.
- 3/ Original Farnus SW about 4 miles
- 4/ An existing well will be used & second one dug. (450' Budd well)

Protestant -

Home in Sect. 20 NW NW T7N
R 45E. 422' deep well. Water seems
to be at 385'. Static level has fluctuated
15 feet over years.

* Applicant - Set hearing 2 months from now

RECEIVED

JUL 19 1995

May 22, 1995

MERRILL BROWER & SONS INC
WILLIAM A ROBINSON
PO BOX 147
TETONIA ID 83452

Dear Mr. Brower & Mr. Robinson:

This is to confirm that the prehearing conference date for transfer #4559 in the name of Brower & Robinson has been changed to May 26th at 9:30 a.m. at the Idaho Department of Water Resources conference room at 900 N. Skyline in Idaho Falls.

Sincerely,


Harold W. Jones
Water Right Supervisor

HWJ/rb

RECORDED

JUL 19 1995

May 22, 1995

RICHARD BRIGGS
BOX 68
TETONIA ID 83452

Dear Mr. Briggs:

This is to confirm that the prehearing conference date for transfer #4559 in the name of Brower & Robinson has been changed to May 26th at 9:30 a.m. at the Idaho Department of Water Resources conference room at 900 N. Skyline in Idaho Falls.

Sincerely,

Harold W. Jones
Harold W. Jones
Water Right Supervisor

HWJ/rb

RECEIVED
JUL 19 1995

May 15, 1995

RE: Application for Transfer NO. 4559

Dear Sirs:

I am with deep regret that I will be unable to attend the May 30th prehearing as I have already made prior commitments.

If it is at all possible to change it to June 15th on, I would greatly appreciate it.

Sincerely yours,

Ward E. Briggs

MICROFILMED

JUL 19 1995

13-1-11 10:41 PM
8.2
COVER PAGE

May 15, 1995

To:
State of Idaho Dept. of Water Resources
900 N. Skyline Dr.
Idaho Falls, ID
83402-1718

Fax #208-525-7161

From:

Richard Briggs
P.O.Box 68
Tetonia, ID
83452

work

354-2270

Fax # 208-354-2270 or 208-456-2621

MICROFILMED

JUL 19 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)	
FOR TRANSFER NO. 4559)	NOTICE OF
IN THE NAME OF MERRILL BROWER)	PREHEARING CONFERENCE
& SONS, INC., & WILLIAM A.)	
<u>ROBINSON</u>)	

On March 3, 1995, Merrill Brower & Sons, Inc., and William A. Robinson filed with the Department of Water Resources application for transfer of water rights No. 4559. On March 27, 1995, the application was protested by Richard Briggs.

The Department has scheduled the matter for a prehearing conference at 9:30 a.m. on May 30, 1995, at the Idaho Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID, in accordance with the provisions of the adopted Rules of Procedure of the Department of Water Resources.

Agenda items for this prehearing conference will include:

1. Identify spokesman and/or counsel representing the protestant.
2. Review of the application.
3. Identify issues of protest.
4. Designate date for identifying witnesses.
5. Designate target date for conducting administrative hearing if resolution is not possible during the prehearing conference.

The hearing will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act.

NOTICE OF PREHEARING CONFERENCE 1

JUL 19 1995

If you require special accommodations in order to attend, participate in or understand the conference, please advise the Department within ten (10) days prior to the conference.

Dated this 30th day of April, 1995.


RONALD D. CARLSON
Regional Manager

I hereby certify that on the 1st day of May, 1995, I mailed a true and correct copy, postage prepaid, of this document to the applicants (s) and protestant (s) listed below:

RITA BODELL
Secretary

Certified

MERRILL BROWER & SONS, INC.
WILLIAM A. ROBINSON
P.O. BOX 147
TETONIA, ID 83452

RICHARD BRIGGS
BOX 68
TETONIA, ID 83452

RECEIVED
JUL 19 1995

AFFIDAVIT OF PUBLICATION

State of Idaho)
County of Teton)ss

I, Nadine Soose
being first duly sworn, depose and say that I am the Secretary of the Teton Valley News, a newspaper as defined by Idaho Codes Annotated, Section 58-106, as amended, and that said newspaper is a weekly newspaper printed and published at Driggs, in Teton County, Idaho, having a general circulation in said county, and that said newspaper has been printed in said county for more than 78 consecutive weeks prior to the first publication of the attached notice, advertisement, or publication of

notice of proposed change of a water right 4559
And affiant further says that said attached notice, advertisement, or publication, as per clipping attached, was published in said newspaper, in the regular and entire issue thereof, and not in any supplement issue thereof, for two consecutive issues thereof; first publication having been made on the 9 day of March, 1995.

And affiant further says that at the times herein mentioned said newspaper was made up of at least eight pages of at least five columns each, printed from typed matter, of at least sixteen inches deep.

Nadine Soose
State of Idaho)
County of Teton)

On this 28th day of March in the year of 1995 before me, a Notary Public, personally appeared Nadine Soose, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Bonnie Johnson
Notary Public for Idaho

Residing at Driggs Idaho
My commission expires 10/24/98

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. 4559

Notice is hereby given that Merger and Mining, Inc. and W.B. Robinson, P.O. 147, Teton, Idaho 83422, have applied to the Department of Water Resources to add a diversion, change point of diversion, and change place of use of a groundwater source. The rights sought to be changed are covered by licenses and recorded as follows:

License No.: 22-07077
Source: groundwater
Amount: 1.24 cfs
Priority: 7/26/1973
Point(s) of Diversion: NENE, 07N, R45E, Teton County
The water is used for IRRIGATION of 218 acres from 4/15 to 10/15
NE 1/4, SEC 29, N1/2NE, T99N, R45E, B.M.

License No.: 22-07257

22-07N, R45E, Teton
The water is used for IRRIGATION of 280 acres from 4/15 to 10/15
the SENW, W1/2SW, N1/2NE, NW, NW/4SW, R45E, B.M.

License No.: 22-07363
Source: groundwater
Amount: 1.58 cfs
Priority: 6/4/1981
Point(s) of Diversion: SEC 30, 07N, R45E, Teton
The water is used for IRRIGATION of 79 acres from 4/15 to 10/15 within the S1/2NE, SEC 30, R45E, B.M.

TO BE CHANGED FOLLOWS:

The water will be diverted to the NESWSW, SEC 15, N1/2SW, SEC 22, 07N, R45E, Teton County, and irrigate 577 acres within the S1/2SW 1/4, SEC 15, S1/2NE, N1/2SW, SEC 16, W1/2NE, NWSW, SEC 22, 07N, R45E.

Any protest against any of the proposed change must be filed with the Idaho Department of Resources, 900 N. Skyline Dr., Falls, ID 83402, together with a fee of \$25 on or before March 1, 1995. The protest must also be a copy of the protest to the applicant.

R. Keith Higginson, Director

MICROFILMED

JUL 19 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

March 27, 1995

RICHARD BRIGGS
PO BOX 68
TETONIA ID 83452

RE: Application for Transfer No. 4559

Dear Mr. Briggs:

Your protest against approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

Unless this office is advised that either the matter has been resolved or there exists extenuating circumstances, our objective is to schedule a conference and/or hearing in the near future to consider the protest. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Sec. 42-203, Idaho Code): the following are the principle items the Department can consider in either approving or denying the application for permit (Sec. 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. Is the proposed use contrary to conservation of water resources within the State of Idaho?

RECORDED

JUL 19 1995

Richard Briggs
page 2

The protestant must be prepared to present proof of allegations involving one or more of the six items.

If this office can be of further assistance, please contact us.

Sincerely,

Harold W. Jones rb
HAROLD W. JONES
Water Rights Supervisor

HWJ/rb
pc: IDWR - State Office

MAILED

JUL 19 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

March 27, 1995

MERRILL BROWER & SONS INC
WILLIAM A ROBINSON
PO BOX 147
TETONIA ID 83452

RE: Application for Transfer No. 4559

Dear Mr. Brower and Mr. Robinson:

Enclosed is a copy of a protest filed against the issuance of a permit. The Department suggests you contact the protestant directly in an effort to determine the nature of the protest and to attempt to resolve the protest.

Unless this office is advised that either the matter has been resolved or there exists extenuating circumstances, our objective is to schedule a conference and/or hearing in the near future to consider the protest. At a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for transfer (Sec. 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?
6. Is the proposed use contrary to conservation of water resources within the State of Idaho?

RECEIVED

JUL 19 1995

Merrill Brower & Sons, Inc.
William A. Robinson
Page 2

The applicant must be prepared to present evidence and/or testimony addressing each of the six items. Although representation by legal counsel is not mandatory at a proceeding before the Department, you may retain an attorney in your behalf.

If this office can be of further assistance, please contact us.

Sincerely,


HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

pc: IDWR - STATE OFFICE
enc

RECEIVED
JUL 19 1965

7/94

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF PROTEST**

RECEIVED
JUN 27 1995

Department of Water Resources
Eastern District Office

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, 42-222 and 42-224, Idaho Code. The department will also accept a timely protest not completed on this form if it contains all necessary information.

1. Matter being protested Transfer #4559
2. Name of protestant Richard Bliggs
3. Protestant's representative for service (If different than protestant)

4. Service mailing address Box 68 Teton, ID. 83452
5. Service telephone no. 456-2621
6. Basis of protest (including statement of facts and law upon which the protest is based)

1. Do NOT Believe There is enough ground water
to change permit of diversion 2. Flowing well has NOT
been used for many years.

(additional pages may be attached to describe the nature of the protest)

7. What would resolve your protest? ~~DO~~ NOT TO ALLOW CHANGE

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 27 day of March, 19 95.

Richard Bliggs
PROTESTANT

PROTESTANT'S REPRESENTATIVE

MICROFILMED

JUL 19 1995

NOTE:

- a) Not more than two (2) representatives for service of documents may be designated on a protest. If this protest is signed by more than one person without identifying the representative(s) for service of documents, the hearing officer may select the person(s) upon whom documents will be served.
- b) A protestant is required to timely file a protest with the department together with a \$25.00 protest fee in order for the protest to be considered by the department. In addition, the department's Rule of Procedure, IDAPA 37.01.01203, requires a protestant to send a copy of a protest to the applicant.
-

INSTRUCTIONS

1. The matter being protested must be clearly identified. A typical matter is identified by the application number such as "Application for Permit No. _____ in the name of _____" or "Application for Transfer No. _____ in the name of _____."
 2. Show the name of the protestant.
 3. If the protestant is represented by an attorney or other authorized representative, show the representative's name. The department then will serve documents on the representative and upon the protestant if specifically requested.
 4. Show the address where the department is to serve the documents. This should be the address of the authorized representative unless the protestant does not designate a representative.
 5. Show the telephone number of the authorized representative unless the protestant does not designate a service representative.
 6. Specifically describe the nature of the protest.
 7. Describe the relief being sought by the protestant.
-

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Time _____

\$25.00 fee Receipted by _____ # E020608 Date _____

MICROFILMED

JUL 19 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

March 6, 1995

TETON VALLEY NEWS
PO BOX 509
DRIGGS ID 83422

Dear Publisher:

Enclosed you will find a legal notice which we wish to have published on the date indicated in your newspaper. If you cannot publish the notice on the proposed date, 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 March 27, 1995.

Yours truly,

Rita Bodell
Rita Bodell
Secretary

Enc.

Faxed

MICROFILMED

JUL 19 1995

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. 4559

Notice is hereby given that Merrill Brower & Sons, Inc. and William A. Robinson, P.O. Box 147, Teton, ID 83452, have applied to the Department of Water Resources to add a point of diversion, change point of diversion, and change place of use of the waters of a groundwater source. The rights sought to be changed are evidenced by licenses and recorded as follows:

License No.: 22-07077 Source: groundwater
Amount: 1.24 cfs Priority: 7/26/1973
Point(s) of Diversion: NENE, SEC 30, 07N, R45E, Teton County
The water is used for IRRIGATION of 218 acres from 4/15 to 10/15 within the NW1/4, SEC 29, N1/2NE, SEC 30, T07N, R45E, B.M.

License No.: 22-07257 Source: groundwater
Amount: 1.88 cfs Priority: 9/2/1977
Point(s) of Diversion: NWNW, SEC 22, 07N, R45E, Teton County
The water is used for IRRIGATION of 280 acres from 4/1 to 11/1 within the SENW, W1/2SW, SEC 15, W1/2NE, NW, NWSW, SEC 22, T07N, R45E, B.M.

License No.: 22-07363 Source: groundwater
Amount: 1.58 cfs Priority: 6/4/1981
Point(s) of Diversion: NENE, SEC 30, 07N, R45E, Teton County
The water is used for IRRIGATION of 79 acres from 4/15 to 10/15 within the S1/2NE, SEC 30, T07N, R45E, B.M.

TO BE CHANGED AS FOLLOWS:

The water will be diverted from the NESWSW, SEC 15, (well #1), NESWNW, SEC 22, (well #2), T07N, R45E, Teton County and used to irrigate 577 acres within the S1/2NW, SW1/4, SEC 15, S1/2NE, N1/2SE, N1/2SW, SEC 16, W1/2NE, NW/14, NWSW, SEC 22, T07N, R45E, B.M.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID, 83402, together with a protest fee of \$25 on or before March 27, 1995. The protestant must also send a copy of the protest to the applicant.

R. Keith Higginson
Director

Published in the Teton Valley News on March 10 & 17, 1995

MICROFILMED

JUL 19 1995

March 7, 1995

MERRILL BROWER & SONS INC
AND WILLIAM A ROBINSON
PO BOX 147
TETONIA ID 83452

RE: Application for Transfer No. 4559

Dear Mr. Brower & Mr. Robinson:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Teton Valley News March 10 & 17, 1995. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Sincerely,


Harold W. Jones
Water Right Supervisor

HWJ/rb

RECEIVED

JUL 19 1995

March 10, 1995

MERRILL BROWER & SONS INC
WILLIAM A ROBINSON
PO BOX 147
TETONIA ID 83452

RE: Application for Transfer No. 4559

Dear Mr. Brower & Mr. Robinson:

The Department of Water Resources acknowledges receipt of your water right application. This office is currently in the process of advertising the application in the Teton Valley News on March 10 & 17, 1995. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Sincerely,

Harold W. Jones rb
Harold W. Jones
Water Right Supervisor

HWJ/rb

RECEIVED

JUL 19 1995

April 9, 1981

Merrill & Edward Brower
Felt,
Idaho 83424

RE: Permit No. 22-7077

Dear Sirs,

On March 26, 1981, we sent you a letter stating what our field examiner found when he examined your works on June 18, 1979. On April 3, 1981 you wrote to our Department in regards to 70 more acres in the S¹/₄NE¹/₄, Sec. 30, Twp. 7N, Rge. 45E. These 70 acres were not covered by your original permit, and by Idaho law your original permit can not be expanded. I would suggest that you complete the enclosed Application for Permit covering these extra 70 acres.

If you have any questions please contact me in 10 days, otherwise a license will be issued as set forth in our letter dated March 26, 1981.

Sincerely,

ROBYN HAMPE
Chief Clerk

RH:mr
Enclosure

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

~~STEPHEN ALBRECHT~~

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

May 6, 1981

Merrill & Edward Brower
Felt,
Idaho 83424

Dear Sirs,

RE: License No. 22-7077

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

Please be advised that one of the conditions of your permit was that a measuring device be installed as part of your diversion works. That requirement has been waived with issuance of the enclosed license. However, in the event that water supply shortages become a problem installation of measuring devices may be required.

Sincerely,

JIM JOHNSON

Water Distribution Supervisor

JJ:mr

Enclosure

RECEIVED
MAY 11 1981
WATER RESOURCES
STATE OF IDAHO

Box 36

Felt, Daniel 83424

(

UNRECORDED

State of Idaho

Dept of Water Resources
Helena

Boise, Idaho 83720

RECEIVED
APR 1 1981
FBI





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

March 26, 1981

APR 3 1981

Merrill & Edward Brower
Felt,
Idaho 83424

Department of Water Resources

Dear Sirs,

A representative of this Department has made an examination of the works covered by your Permit No. 22-7077, and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: 1.24 cfs Source: groundwater

The maximum quantity diverted shall not exceed 450.1 acre feet per year.

Point(s) of diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, Twp. 7N, Rge. 45E, B.M.

Beneficial use: Irrigation of 151 acres within the NW $\frac{1}{4}$, Sec. 29; 67 acres within the N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 30, Twp. 7N, Rge. 45E.

Priority date established: July 26, 1973

Conditions (if any): Approximately 70 more acres are being irrigated from this well. The description of ground is as follows: South half of the Northeast Quarter of Section Thirty (30), Township 7 North, Range 45, E. B. M.

Everything else is all right.

Merrill Brower

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

JIM JOHNSON
Water Distribution Supervisor





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

March 26, 1981

Merrill & Edward Brower
Felt,
Idaho 83424

Dear Sirs,

A representative of this Department has made an examination of the works covered by your Permit No. 22-7077, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 1.24 cfs Source: groundwater

The maximum quantity diverted shall not exceed 450.1 acre feet per year.

Point(s) of diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, Twp. 7N, Rge. 45E, B.M.

Beneficial use: Irrigation of 151 acres within the NW $\frac{1}{4}$, Sec. 29; 67 acres within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, Twp. 7N, Rge. 45E.

Priority date established: July 26, 1973

Conditions (if any):

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

RECORDED

FIELD REPORT

3. Water will be used for the following purposes:

TOTAL ACREAGE 240

MICROFILMED

R 45 E

T
7
N

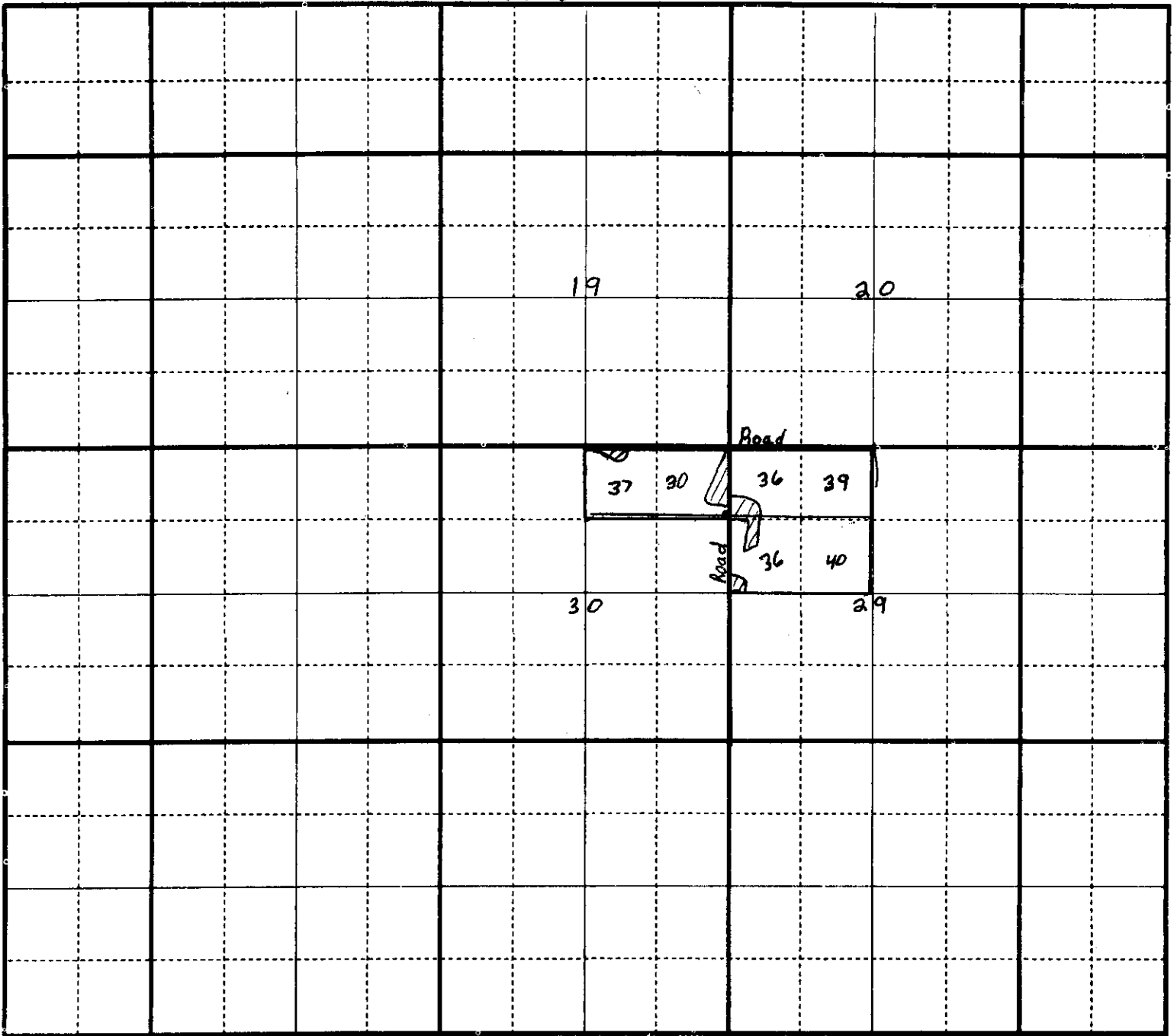
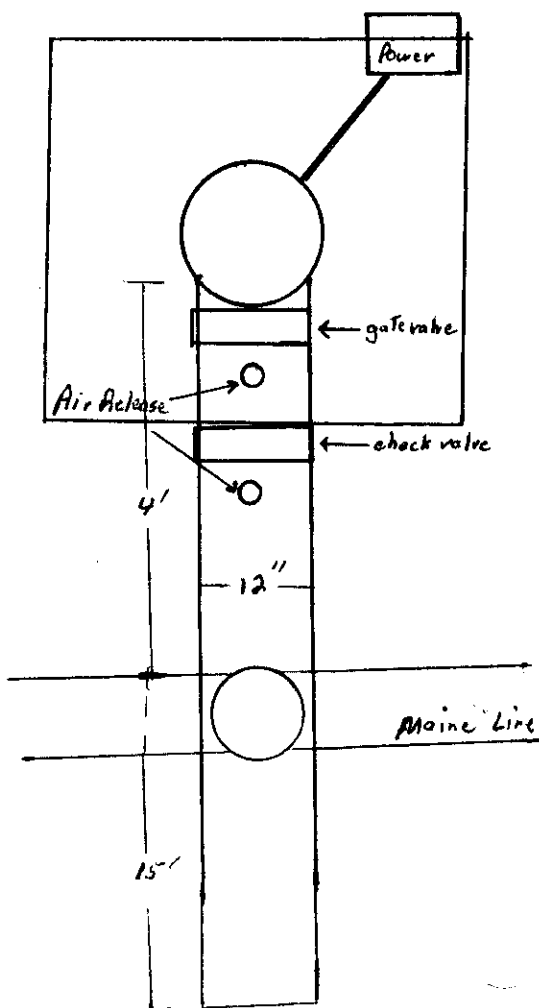
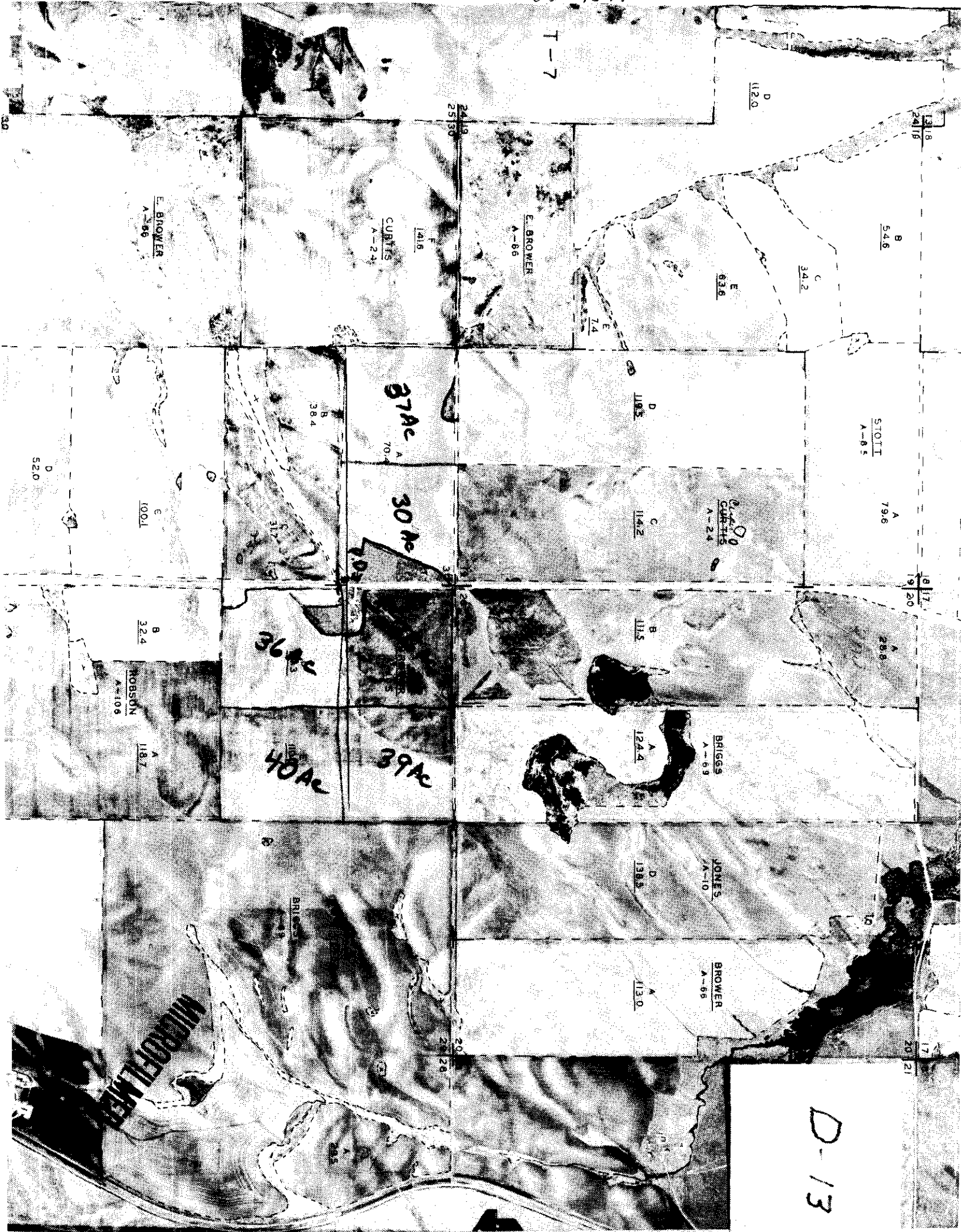


Diagram of System



JDC

T-7



D-13

MICHOIL MEI

STOTT
A-85
796

CURTIS
A-24
114.2

BRIGGS
A-69
124.4

JONES
A-10
138.5

BROWER
A-66
113.0

E. BROWER
A-66
141.6

CURTIS
A-24
141.6

E. BROWER
A-66
141.6

37Ac

30Ac

36Ac

40Ac

39Ac

38.4

100.1

32.4

ROBSON
A-106
118.7

52.0

131.8
241.6

54.6

34.2

63.6

118.5

114.2

111.5

124.4

138.5

113.0

19.20

28.8

17
20
21

DATE OF EXAM 6/18/79

ACREAGE
Found 218 Ac ✓
Recommended 218

Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q = 1.24 c.f.s. V = 450.1 AF/Ann. from April 15 to Oct 15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no X

Name source exchanged with: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured 1.24 cfs Method of measurement Pilot Tube

Total Q recommended 1.24 cfs Meter No. _____ Type Asteroft Condition ETA

Total V recommended 450' Act/Ac

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None

MEASUREMENT CALCULATION:

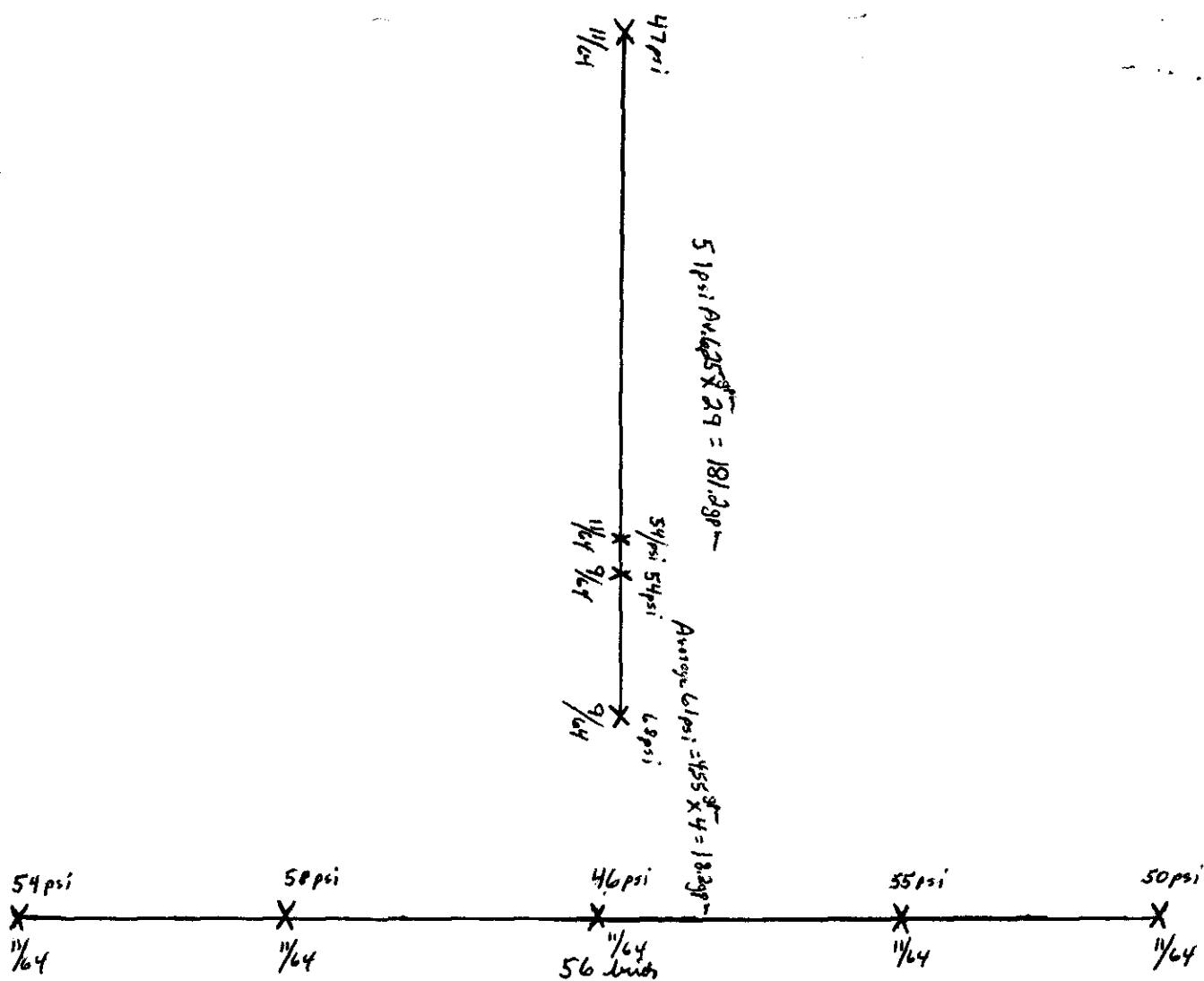
over for calculations 555.8 gpm = 1.24 cfs
218 Ac x 3.0 Act/Ac = 654 Act/Ac
1.24 cfs x 1.9835 cfs Act/dy x 183 dy = 450' Act/Ac

SYSTEM DESCRIPTION:

Groundwater is diverted from a 12" x 520' deep well by a 300 hp St. E. Tri Clad
induction motor Ser # KKV1002012 and Johnston vertical turbine pump # 6-9
Approx 3-1/4 mile hard line.

REMARKS:
No Conflicting Rights System shown + decided by Maribel Brower

Examiner's Signature John D. Carmon Date 3/3/80
Checked by Anthony R. Kozlowski Date 3-4-80
Approved by Robyn Date 3/25/81



$$\begin{array}{r}
 356.4 \\
 18.2 \\
 \hline
 181.2 \\
 555.8 \text{ gpm.} = 1.24 \text{ cfs}
 \end{array}$$

MICROFILMED



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

September 27, 1978

Merrill E. & Edward Brower
Felt,
Idaho 83424

Re: Permit No. 22-7077

Gentlemen:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our regional office in Idaho Falls.

Sincerely,

RITA FLECK
Water Rights

MICROFILMED

Identification No. _____

Permit No. 22-7077

RECEIVED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

JUL 27 1978

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of Permit Holder Merrill E. and Edward Brower

b) Post Office Address Felt Idaho 83424

2. Permit Number 22-7077

3. Date of Priority that you are prepared to establish July 1975

4. a) Source from which water was appropriated ground water

b) Location of the point of diversion: NE ¼ NE ¼, Section 30

Township 7 N, Range 45 E, Base Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:

Amount 2 cfs for irrigation purposes from May to Nov. incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated 2 cfs cfs and/or acre-feet per annum

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Tom Hatch (of Mel Brown Pump Co.)
by water meter - He's an Engineer

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement or understanding by which you take water from the works:

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 9 in bowls 300 HP 12 in. 520 ft

b) Describe the type and size of measuring device which you have installed at your point of diversion:

Mi. Crometer over 16 inch pipe

c) Give well driller's name and address and the date the well was completed:

Doug Cushman Blackfoot, Idaho dug original hole
Martin Frandsen Rexburg, Idaho deepened hole
July 3-1978

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:

RECEIVED

Exam typed 9/27/78



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

May 31, 1978

CERTIFIED MAIL 128317

Re: Permit No. 22-7077

Merrill E. & Edward Brower
Felt,
Idaho 83424

Dear Sirs:

One of the conditions of approval of the above referenced water right permit was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before August 1, 1978. The enclosed affidavit form is the document you must complete and submit as the proof of application of water to beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

Janice Renk

JANICE RENK
Water Rights

Encl: Proof affidavit

MICROFILMED

August 26, 1975

Re: Application for Amendment for Permit No. 22-7077

Merrill E. & Edward Brower
Felt,
Idaho 83424

Gentlemen:

Enclosed is a copy of the approved Application for Amendment.on Permit No.
22-7077.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:rb

Enc.

RECEIVED
AUG 29 1975
WATER RIGHTS
DIVISION
IDAHO DEPARTMENT OF
LAND

August 24, 1973

Re: Permit No. 22-7077

Merrill & Edward Brower
Felt,
Idaho 83424

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 22-7077. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:cd

Enclosures

RECEIVED
AUG 27 1973
FLEENOR

22-7077

July 27, 1973

Re: Application for Permit No. 22-7077 -- Merrill & Edward Brower

Teton Valley News
Driggs,
Idaho 83422

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb

Enc: Legal Notice (1)

Bill submitted 8-13-73 by mb

22-7077

22-7077

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Merrill and Edward Brower, Felt, Idaho have on 7/26/73 submitted Application No. 22-7077 for a permit to appropriate 4.80 cubic feet per second of water from a ground-water source by means of well and pump within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, T. 7N, R. 45E, B.M. Teton County; to be used from Apr. 15 to Oct. 15 for the irrigation of 240 acres within the NW $\frac{1}{4}$, Sec. 29; N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 30, T. 7N, R. 45E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 240 South Holmes Lane, Falls, Idaho, 83401 on or before August 20, 1973.

R. KEITH HIGGINSON
Director

Published in the Teton Valley News, Driggs, Idaho on August 2 and August 9, 1973.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Merrill and Edward Brower,

Felt, Idaho

have on 7/26/73 submitted Application No. 22-7077

for a permit to appropriate 4.80 cubic feet per second ~~acre feet per annum~~

of water from a ground-water source

by means of well and pump

within the N1/4, Sec. 29, T. 7N, R. 45E, B.M. Teton County;

to be used from Apr. 15 to Oct. 15

for the irrigation of 240 acres

within the N1/4, Sec. 29; N1/4, Sec. 29, T. 7N, R. 45E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401 on or before August 20, 1973.

R. KEITH HIGGINSON

Director

Published in the Teton Valley News, Driggs, Idaho

on August 2 and August 9, 1973.

MICROFILMED

22-7077 NCH

aw.
aw.

July 26, 1973

Merrill & Edward Brower
Felt,
Idaho 83424

Dear Mr. Brower:

Attached herewith is departmental receipt No. 10284 in the amount of \$65.00 for your application for permit which was received in this office under the above date.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb

Attachment

RECEIVED
JUL 27 1973

22-7077

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

EASTERN DISTRICT OFFICE



Cecil D. Andrus
Governor

R. Keith Higginson
Director

240 South Holmes Avenue
Idaho Falls, Idaho 83401
(208) 523-7186

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

July 24, 1973

RECEIVED

Merrill and Edward Brower
Felt,
Idaho 83424

Dear Mr. Brower:

We are returning your application for permit to appropriate ground water and your check No. 92-239 in the amount of \$10.00. Before the application is acceptable, there are a number of items that needed to be completed and the filing fee is insufficient for the rate of diversion requested. We have taken the liberty of retyping your application using the information that we felt to be correct. Review the application and sign on page 3 exactly as your names appear in Item 1 and return to this office with the required filing fee. The filing fee for 4.8 cfs is \$65.00.

The Idaho Code limits the rate of diversion to .02 c.f.s. per acre unless a higher rate can be justified. Therefore, I have taken the liberty of reducing the rate of diversion of 5.0 c.f.s. to 4.8 c.f.s.

Department personnel during a recent field examination of a permit owned by Mr. Reed Casper objected that the land in the N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 30, T. 7N, R. 45E is already being irrigated. Please carefully review the land to be irrigated to be sure that the location is correct.

If you have any questions, do not hesitate to contact this office.

Very truly yours,

Norman C. Young

NORMAN C. YOUNG
District Engineer

NCY:mb

enclosures

MICROFILMED

↓
This piece of property is being irrigated by Reed Casper is our land and we will run and irrigate it ourselves when we get our well in use. 22-7077 we thought it would have to be included if we were to be able to irrigate it.

July 24, 1973

Merrill and Edward Brower
Felt,
Idaho 83424

Dear Mr. Brower:

We are returning your application for permit to appropriate ground water and your check No. 92-239 in the amount of \$10.00. Before the application is acceptable, there are a number of items that needed to be completed and the filing fee is insufficient for the rate of diversion requested. We have taken the liberty of retyping your application using the information that we felt to be correct. Review the application and sign on page 3 exactly as your names appear in Item 1 and return to this office with the required filing fee. The filing fee for 4.3 cfs is \$65.00.

The Idaho Code limits the rate of diversion to .02 c.f.s. per acre unless a higher rate can be justified. Therefore, I have taken the liberty of reducing the rate of diversion of 5.0 c.f.s. to 4.3 c.f.s.

Department personnel during a recent field examination of a permit owned by Mr. Reed Casper objected that the land in the W¹NE¹, Sec. 30, T. 7N, R. 45E is already being irrigated. Please carefully review the land to be irrigated to be sure that the location is correct.

If you have any questions, do not hesitate to contact this office.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb

Enclosures

RECEIVED
JUL 27 1973

22-7077