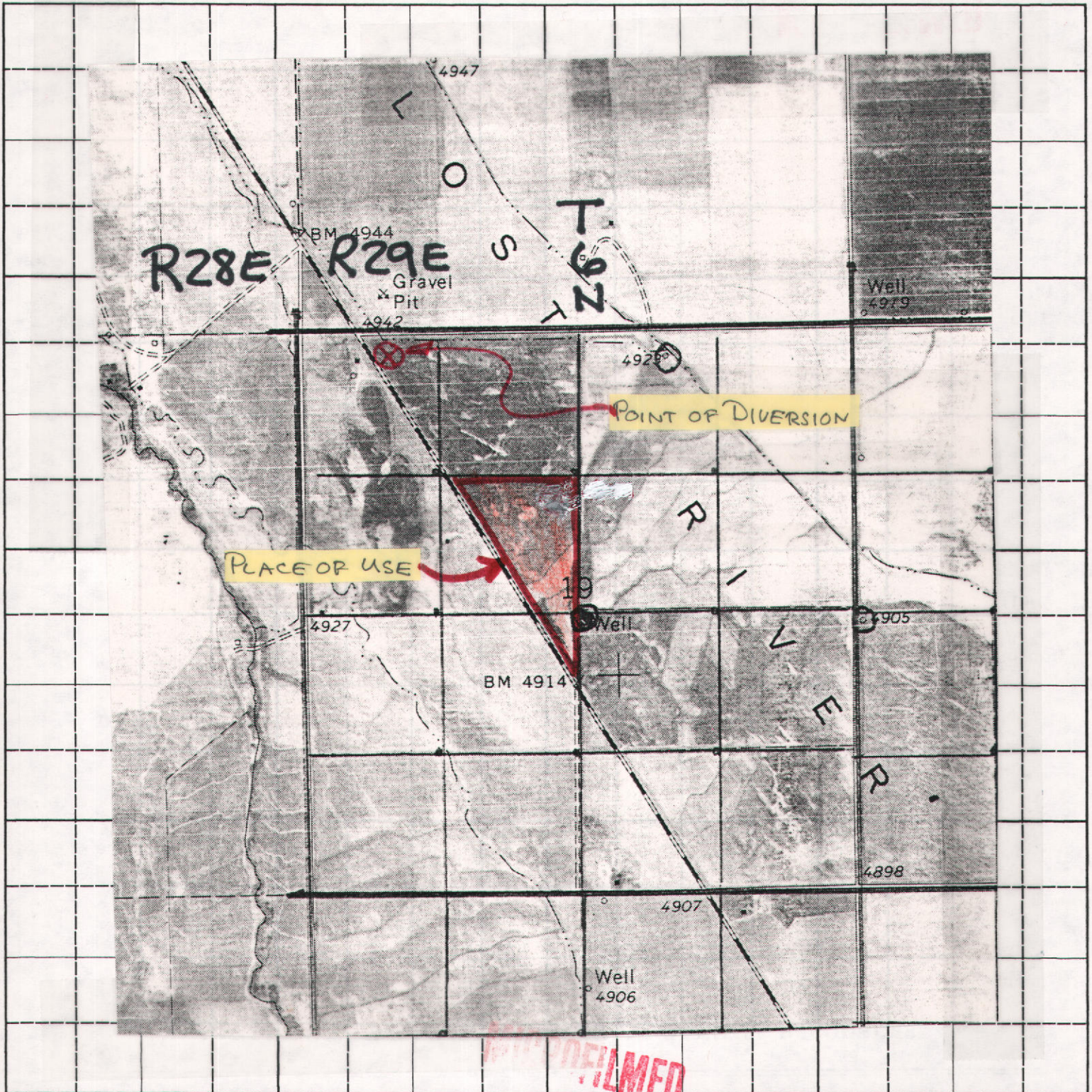


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

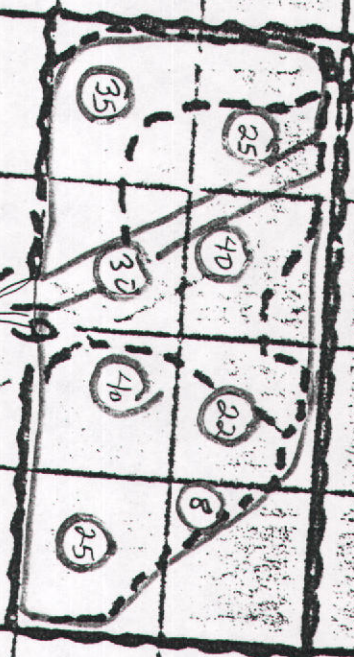


Scale: 2 inches equal 1 mile.

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

Byron A. Contor
(Applicant)

R-29E



Land subdivisions of
Irrigated area - 226 Acres as shown
on map

Map "A"
from 1957 licensing
exam 33-02059
T6N R29E 19

MICROFILMED
JUN 15 2000



STATE OF IDAHO

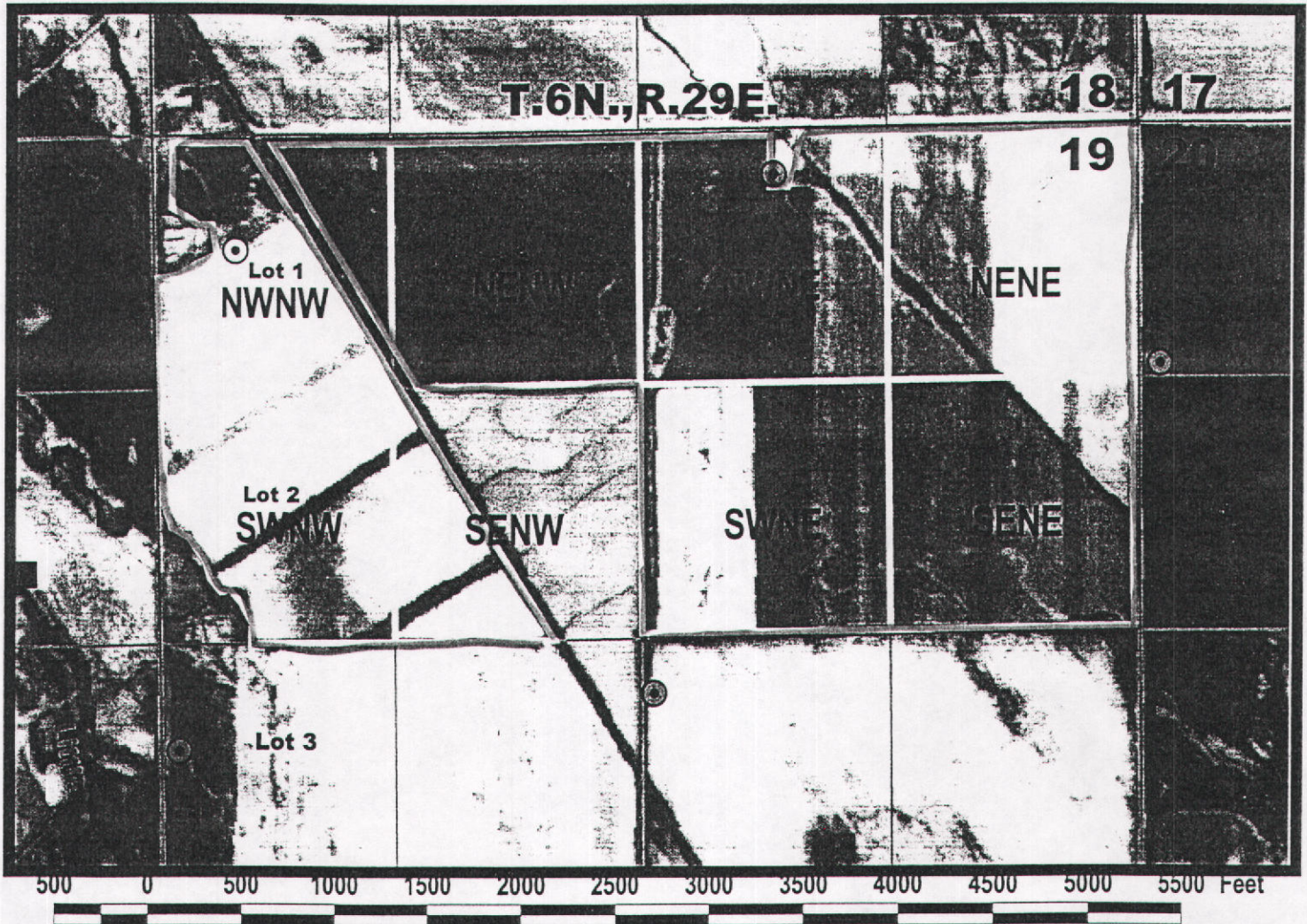
Department of Water Resources

Eastern Region

Map "B"
from recommendations
for claims A33-02059
and A33-10033

Claimant: Owen Romrell

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



LEGEND



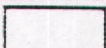
Point of Diversion- GW



Point of Diversion- SW



Place of Use



Section Line



Quarter-section line

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

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

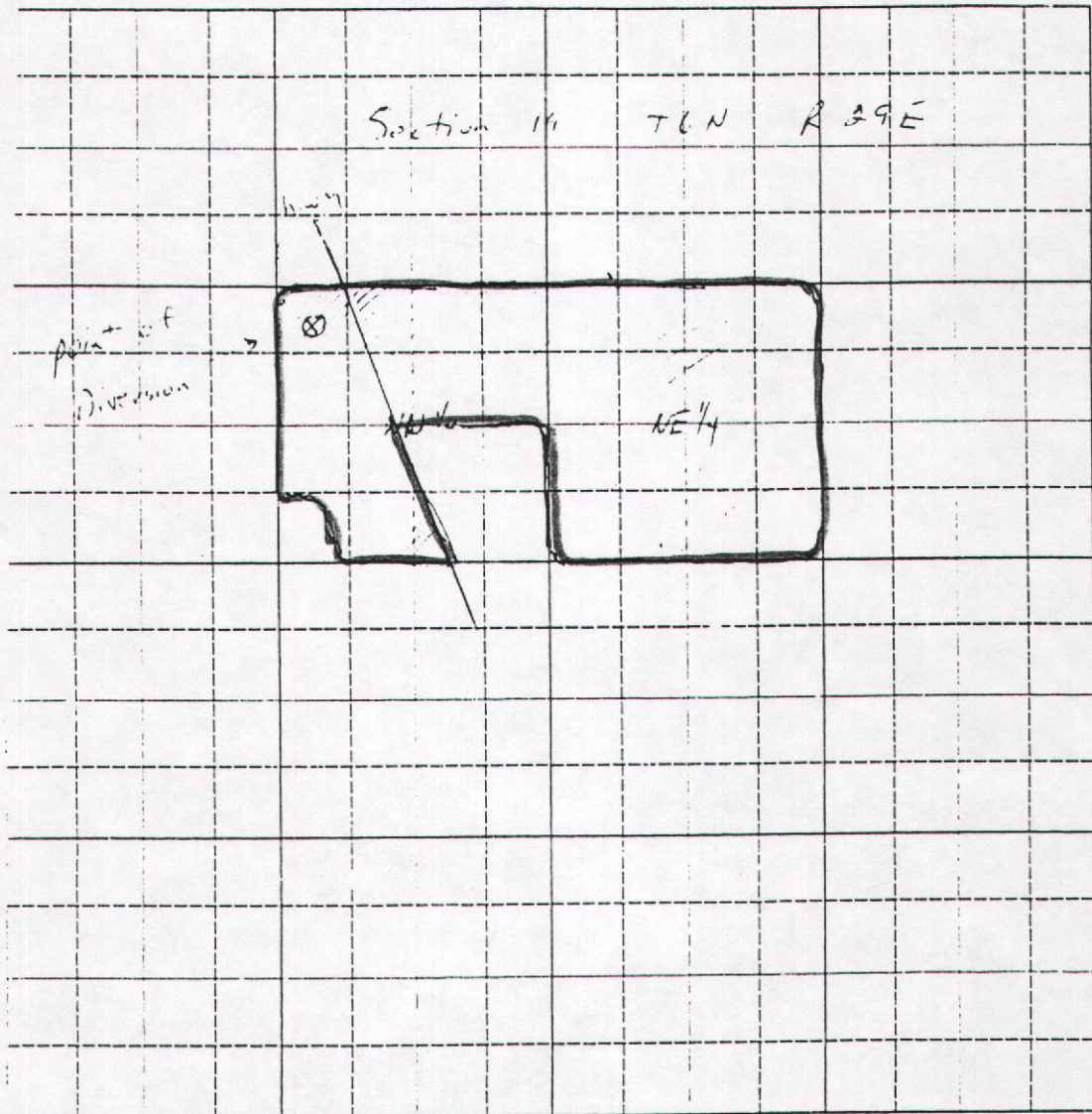
MICROFILMED
JUN 15 2000



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

Map "C" from
application for
permit 33-07189

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



Scale: 2 inches equal 1 mile

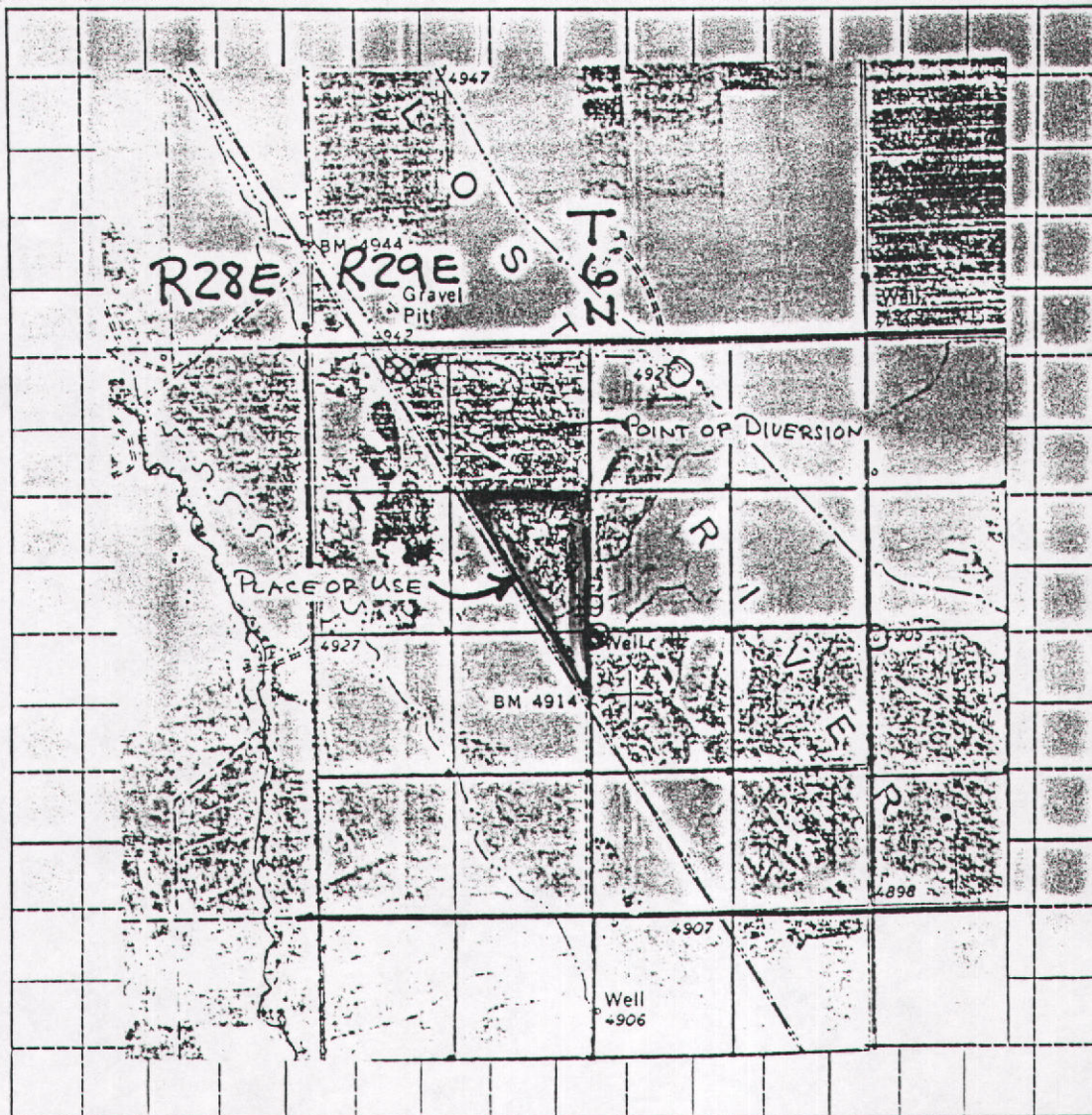
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Bayer A. Carter
(Applicant)
Bayer A. Carter

MICROFILMED
JUN 15 2000

Map "D" from
permit application
33-07190

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



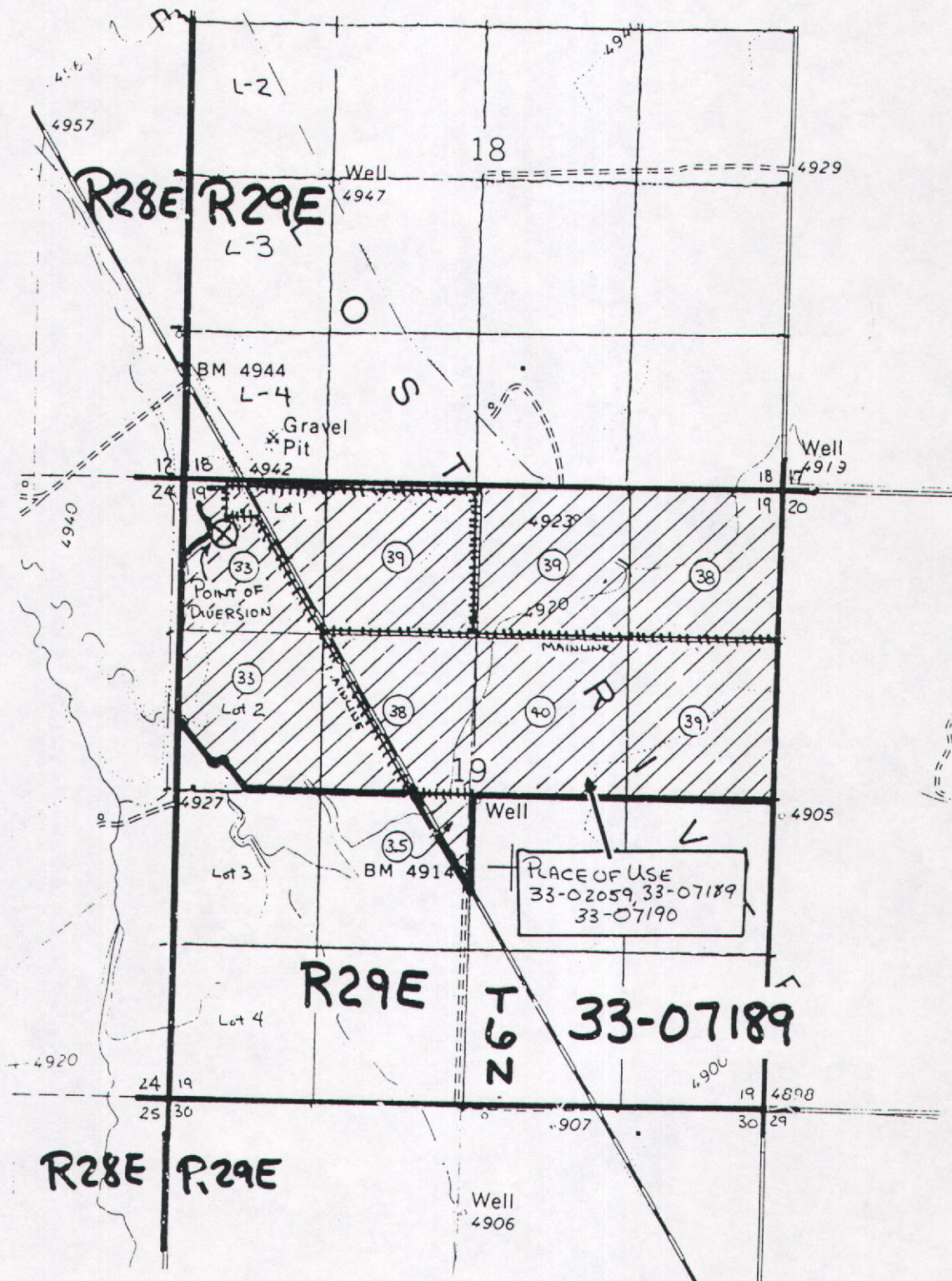
Scale 2 inches equal 1 mile.

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

Byron A. Contor
(Applicant)

MICROFILMED
JUN 15 1988

M "E", from
1994 licensing exam
33-07189 / 33-D7190



MICROFILMED
JUN 15 2000

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

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

MICROFILMED

JUL 19 1995

07-22 11:1400 *R
+ 1.549E 3GPM

07-22 11:1400 *R
+ 1.513E 3GPM

07-22 11:1500 *R
+003.00 % A12

0375.4 MMSEC
100.95 % T0

07-22 11:2000 *R
+ 1.511E 3GPM

PRINTER USE
? YES

07-22 11:2000 *R
+ 1.513E 3GPM

MODE SELECT
INPUT

OUTER DIAMETER
10.0465 IN

PIPE MATERIAL
? CS/SS

WALL THICKNESS
0.1020 IN

INNER LINING
? NO LING.

KIND OF FLUID
? ANOTHER

SOUND VELOCITY
1450 M/S-

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
7.348 IN 0

07-22 11:2100 *R
+ 1.511E 3GPM

07-22 11:2200 *R
+003.00 % A12

MODE SELECT
T0 CHECK

0375.0 MMSEC
100.26 % T0

07-22 11:2200 *R
+ 1.511E 3GPM

ZERO MODE
AUT ZERO

07-22 11:2400 *R
+ 1.506E 3GPM

07-22 11:2400 *R
+003.00 % A12

MODE SELECT
T0 CHECK

0375.0 MMSEC
100.26 % T0

07-22 11:2400 *R
+ 1.505E 3GPM

07-22 11:2500 *R
+ 1.506E 3GPM

07-22 11:2500 *R
+ 1.511E 3GPM

07-22 11:2600 *R
+ 1.507E 3GPM

07-22 11:2700 *R
+ 1.512E 3GPM

MODE SELECT
DATA SET

DATA SET MODE
? PRINTER

07-22 11:2700 *R
+ 1.511E 3GPM

Used Highest
Reading

Q = 1549 gpm

= 3.45 cfs

33-7189
33-7190
JUL 19 1995
MICROFILMED

Gravel

035.40

38.76

80

160

V. 19'00"

K

S. 89° 41' E.

V. 18'58"

V. 18'58"

1.

79.25

38.43

2

80

160

15

R29E

k

Sec. 19.

032.80

38.12

4

80

160

V. 18'57"

267

L

S. 89° 41' E.

V. 19'02"

V. 19'02"

78.95

37.91

MCDERMOT'S

2

Little

160

33-07190

Sec. 30.

031.80

37.93

3

37.90

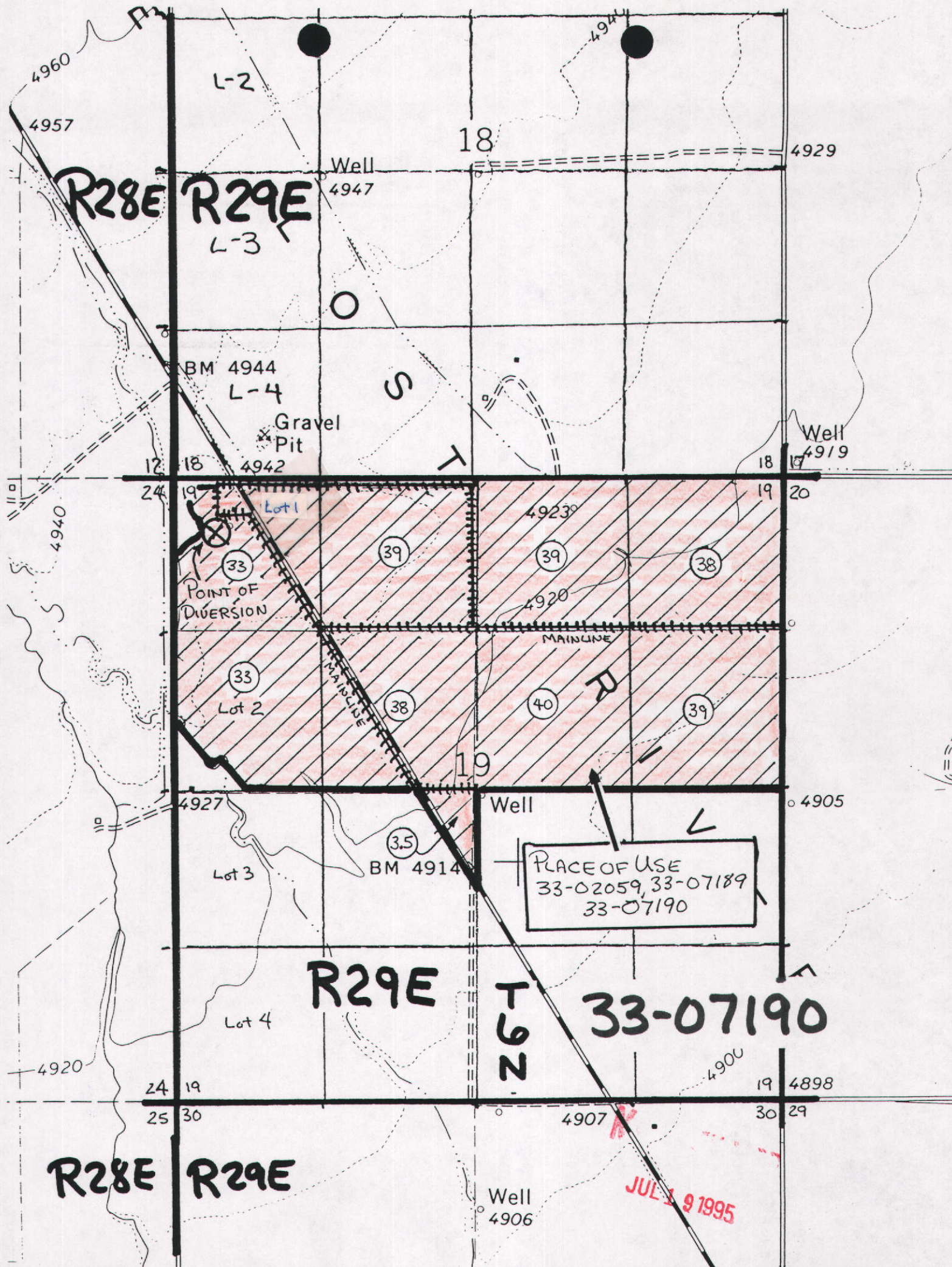
80

160

JUL 19 1905

Gravel

Gravel



R28E R29E
L-3

BM 4944
L-4

Gravel
Pit

POINT OF
DIVERSION

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

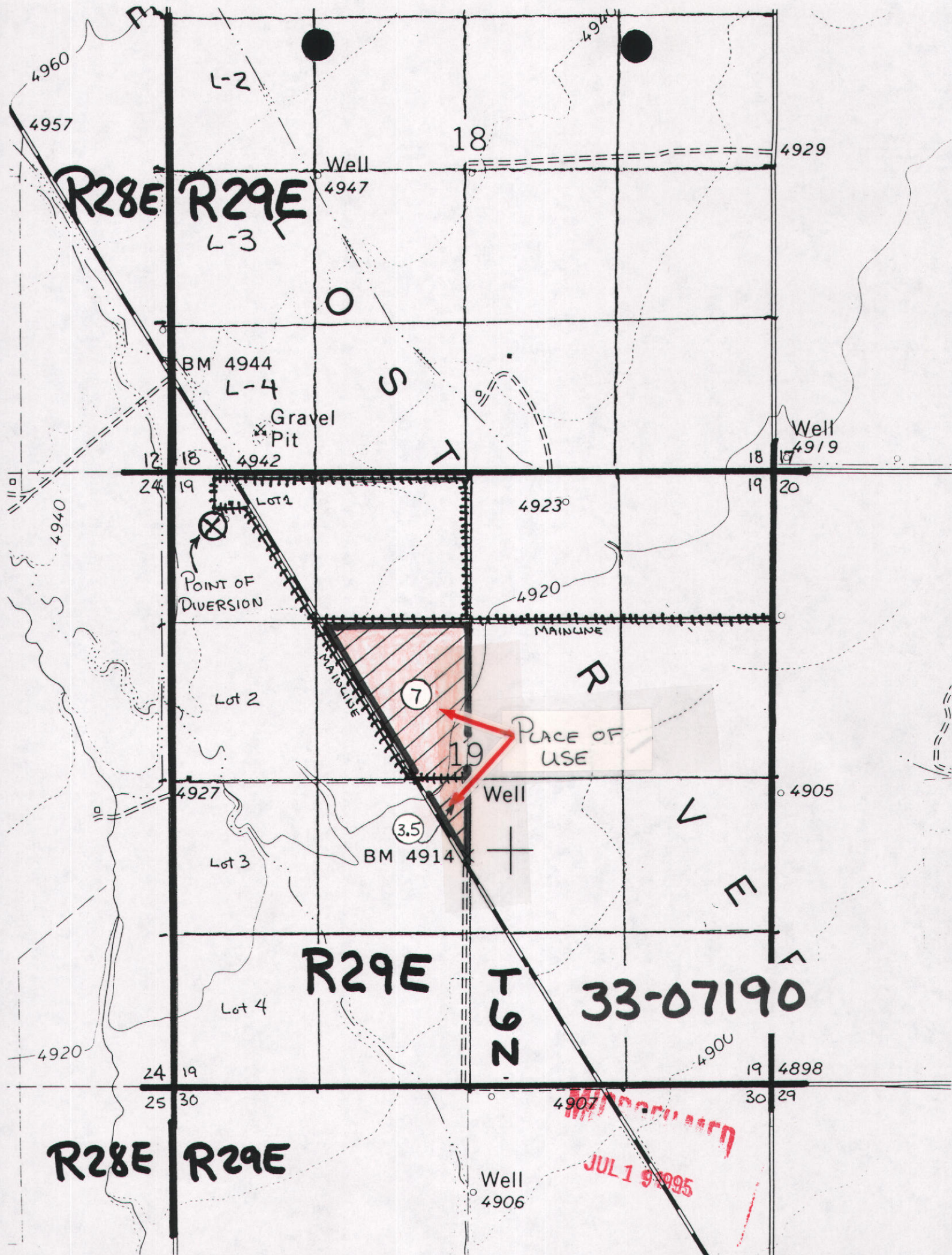
R29E

T26N

33-07190

R28E R29E

JUL 19 1995



R28E R29E
L-3

BM 4944
L-4

Gravel
Pit

POINT OF
DIVERSION

PLACE OF
USE

R29E

T26N

33-07190

R28E R29E

JUL 19 1995

348
T-461
G OWEN S

② NHEL
NW
146.5

MAINLINE

② 22.4

①
39.6

1815

19/20

38

33-07189

~~42.7~~

39



PLACE OF USE

629 NHFL
T-385 NW
PANCHERI INC.

3.5

631
T-313
MIT HANSEN

Lot 3

T
6 R29E
N

Lot 4

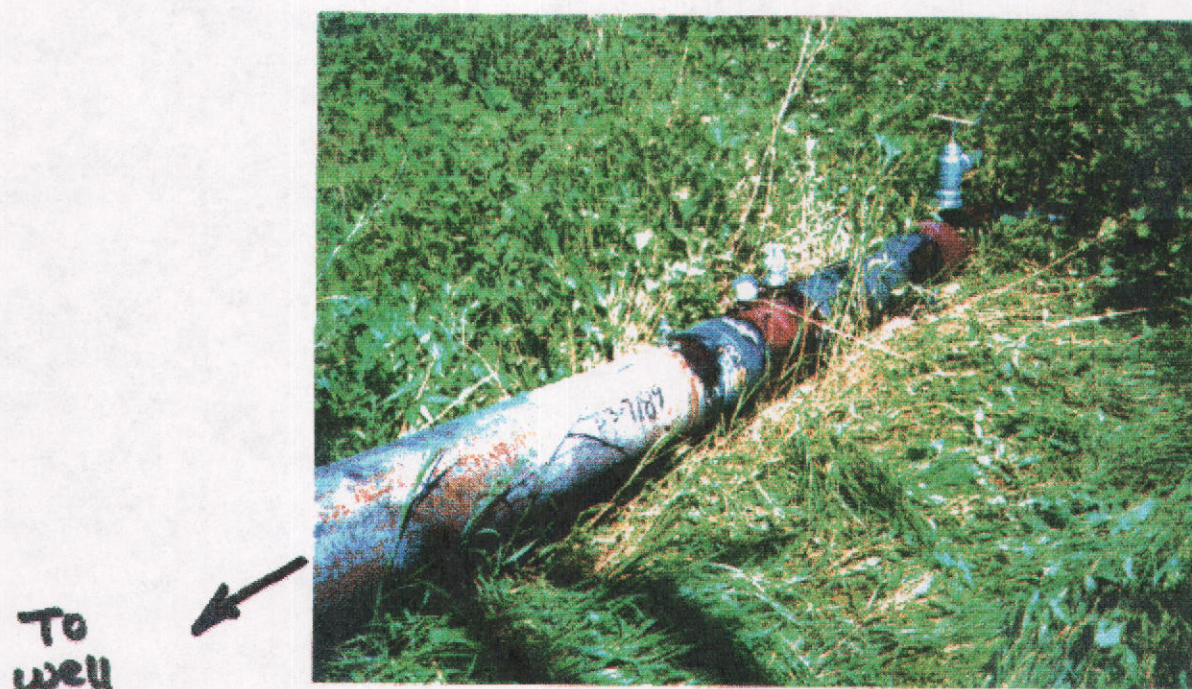
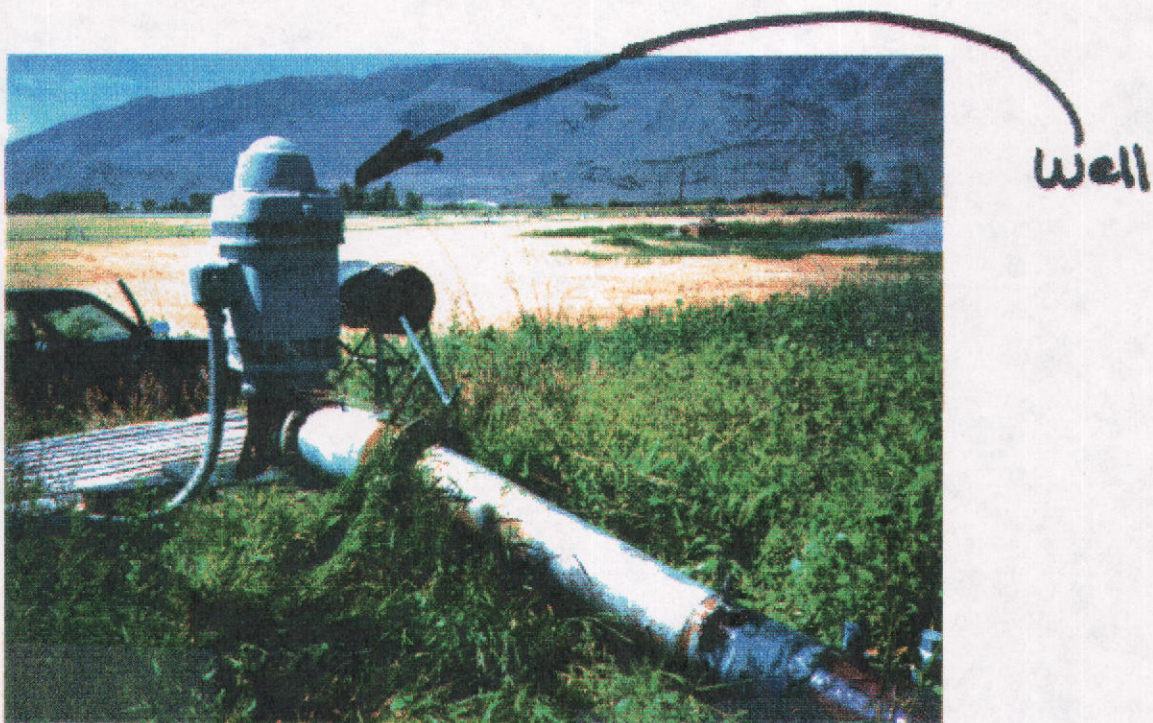
33-07190

①
127.4

JUL 19 1995

1990

30 28



M

JUL 19 1995

~~33-7189~~
33-7190

AFFIDAVIT OF PUBLICATION

I, Colleen Babcock
of the Arco Advertiser, a weekly newspaper of
general circulation, published weekly at Arco, Idaho,
since March, 1909, do solemnly swear that a copy of
this notice, per clipping attached, was published
weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof,

for 2 consecutive weeks, commencing with
the issue dated March 21, 1991

and ending with the issue dated

March 28, 1991
Colleen Babcock

STATE OF IDAHO

COUNTY OF BUTTE

On this 29 day of March
in the year of 1991, before me, a Notary Public,
personally appeared

Colleen Babcock

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.

Thomas D. Cannon
Notary Public for Idaho

Residing at Arco, ID.

My commission expires: 12-17-91

NOTICE OF APPLICATION
FOR TRUST WATER RIGHT

33-07189

CONTOR, BRYCE A.
CONTOR, VALENE R.

HC 65 BOX 1058
HOWE, ID 83244

Source: GROUNDWATER

Diversion Pt: NWNWNW Sec. 19 T 06N
R 29E

Use: IRRIGATION: (.800 CFS)

Total Diversion: (.800 CFS)

Date Filed: 7/31/1989

In: T06N R29E S19 NENE NWNE
SWNE SENE NENW NWNW SWNW
SENE

265.0 ACRES TOTAL

NOTICE OF APPLICATION
FOR TRUST WATER RIGHT

33-07190

CONTOR, BRYCE A.
CONTOR, VALENE R.

HC 65 BOX 1058
HOWE, ID 83244

Source: GROUNDWATER

Diversion Pt: NWNW Sec 19 T 06N R
29E

Use: IRRIGATION (.580 CFS)

Total Diversion: (.580 CFS)

Date Filed: 12/12/1989

In: T06N R29E S19 SENW NESW

29.0 ACRES TOTAL

The permits will be subject to all prior
water rights. Protests may be submitted
based on the criteria of Sec. 42-203A,
Idaho Code and/or the new public interest
criteria of Sec. 42-203C, Idaho Code.
Protests must be filed with the Director,
Dept. of Water Resources, Statehouse
Mail, Boise, Idaho 83720 on or before
APRIL 8, 1991

R. Keith Higginson, Director
Published 3/21/1991 & 3/28/1991

0/2
FJL
4-2-91

RECEIVED
APR 01 1991

Department of Water Resources

MICROFILMED

MAY 14 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

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

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

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

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

SOURCE

GROUND WATER

LOCATION OF POINT(S) OF DIVERSION: Lot 1 (NWNWNW), Sec. 19, Township 06N, Range 29E
BUTTE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N	29E	19	NENE 38	NWNE 38	SWNE 39	
			SENE 38	NENW 38	Lot 1 (NWNW) 31	
		Lot 2 (SWNW)	33	SENW 37	NESW 3	295
Total number of acres irrigated:						* ** 295 ***

MICROFILMED

JUN 15 2000

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

CONDITIONS OF APPROVAL AND REMARKS

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

MICROFILMED

JUN 15 2000

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

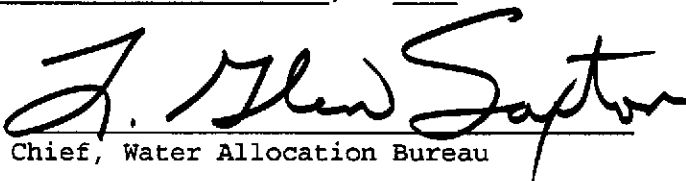
CONDITIONS OF APPROVAL AND REMARKS

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

Dated this 9th day of

June

, 2000.


Chief, Water Allocation Bureau

MICROFILMED

JUN 15 2000

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 33-07190

Priority: December 12, 1989

Maximum Diversion Rate:

0.12 CFS

Maximum Diversion Volume:

36.8 AF

This is to certify, that OWEN ROMRELL

HC 65 BOX 58

HOWE ID 83244

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 12, 1989; and has submitted Proof of Beneficial Use on March 4, 1992. An examination indicates that the works have a diversion capacity of 3.450 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.12 CFS	36.8 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 1(NWNW), Sec. 19, Township 06N, Range 29E
BUTTE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N	29E	19	SENW 7	NESW 3.5		10.5

Total number of acres irrigated: 10.5

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. The Director retains jurisdiction of the right issued to change, add or remove any requirement as determined to be appropriate.

APPROVED

JUL 19 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 33-07190

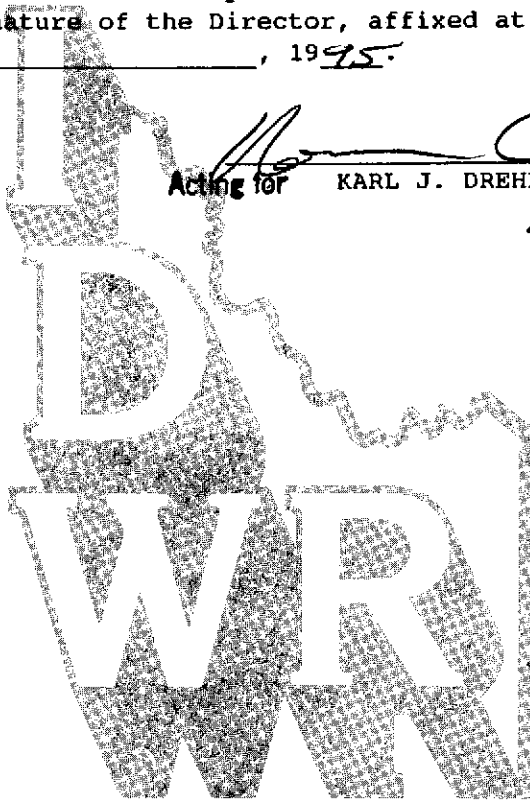
CONDITIONS/REMARKS:

8. This right uses the same well as Rights 33-02059 and 33-07189 and when combined with those rights shall not exceed a diversion rate of 3.45 cfs nor provide more than 3.5 afa per acre for the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 29th day of June, 1995.

Acting for

KARL J. DREHER, Director



RECORDED
JUL 19 1995

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	CFS
Original Application	33-07190	Bryce A. Contor Valene R. Contor	.58
Full Assignment	33-07190	Owen Romrell	.58

RECEIVED

JUL 19 1995

State of Idaho
Department of Water Resources

RECEIVED
APR 19 1993
RECEIVED
APR 12 1993

ASSIGNMENT OF PERMIT
Department of Water Resources

Department of Water Resources
Eastern District Office

I, Bryce Contor, hereby assign to Owen Romrell
of H.C. 65 Box 58 Howe, ID 83244
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 33-07190
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 6th day of April, 19 93.

Bryce A. Contor
Permit Holder

Valene R. Contor
Spouse of Permit Holder

State of Idaho)
County of Latah) ss.

On this 6 day of April, 19 93, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Mikela Zeman
Notary Public residing at _____

My commission expires:
10-10-95

RECEIVED
MAY 25 1993

4/23/93 - database updated C.Z.

RECEIVED

MAR 4 1992

STATE OF IDAHO

For Office Use Only
 Amt. of Fee \$ 100.00
 Date 3-4-92
 Receipt No. 0023412
 Received by [Signature]

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 33-7190 Telephone No. 767-3203

2. Name(s) of Permit Holder(s): BRYCE A. & VALENE R. CONTOR

3. Post Office Address: HC 65 BOX 1058 HOWE, ID 83244

4. Source of Water: groundwater

a. If ground water, well driller's name: _____ Date drilled: early 1950's

b. Pump horsepower: 150 Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use:

Domestic _____ (No. of households) Irrigation 29 (No. of acres)

Stockwater _____ (No. and type of stock) Other _____

6. Total rate and/or volume for which proof is submitted 0.58 cfs _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

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

OR

Flow Measurement Port: Required? Yes ☒ No Installed? ☒ Yes ☐ No

8. Fee Enclosed: \$ 100.00 (See License Examination Fee Schedule)

9. Person to contact to accompany the Department representative during the field examination:

same
Name

208 767 3203
Telephone No.

Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

2 March '92
Date

Bryce A. Contor
Signature (and title if on behalf of a company or organization)

RECEIVED
APR 8 1992

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 33-07190

Proposed Priority: December 12, 1989 Maximum Diversion Rate: 0.58 CFS
This is to certify, that **VALENE R. CONIOR**

BRYCE A. CONIOR
HC 65 BOX 1058
HOWE, ID 83244

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	0.58 CFS

LOCATION OF POINT(S) OF DIVERSION: NWNW Sec. 19, Township 06N, Range 29E
BUTTE County

PLACE OF USE: IRRIGATION
TWN RGE SEC

	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N 29E 19 SENW 26 NESW 3				29

Total number of acres irrigated: 29

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **May 3, 1993**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
6. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
8. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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MAY 14 1991

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 33-07190

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

8th day of May, 1991.

R. Keith Higginson

for R. Keith Higginson, Director

RECEIVED

MAY 16 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Bryce A. or Valene R. Contor Phone 767-3203
Post office address HC 65 Box 1058 Howe, Id. 83244
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is _____ $\frac{1}{4}$ of NW* $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____
Sec. 19 Township 6N Range 29E B.M. Butte County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.58 for Irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.58 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. well pump mainline to laterals with sprinklers
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
 - c. Proposed well diameter is 12 inches; proposed depth of well is 150 feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? NO
7. Time required for the completion of the works and application of the water to the proposed beneficial use is 3 years (minimum 1 year).

* Changes as per letter dtd 9Jan 1991 - KCCW

MAY 14 1991

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6N	29E	19								26	3								29

Total number of acres to be irrigated 29

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

- Who owns the property at the point of diversion? Applicant
- Who owns the land to be irrigated or place of use? Applicant
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

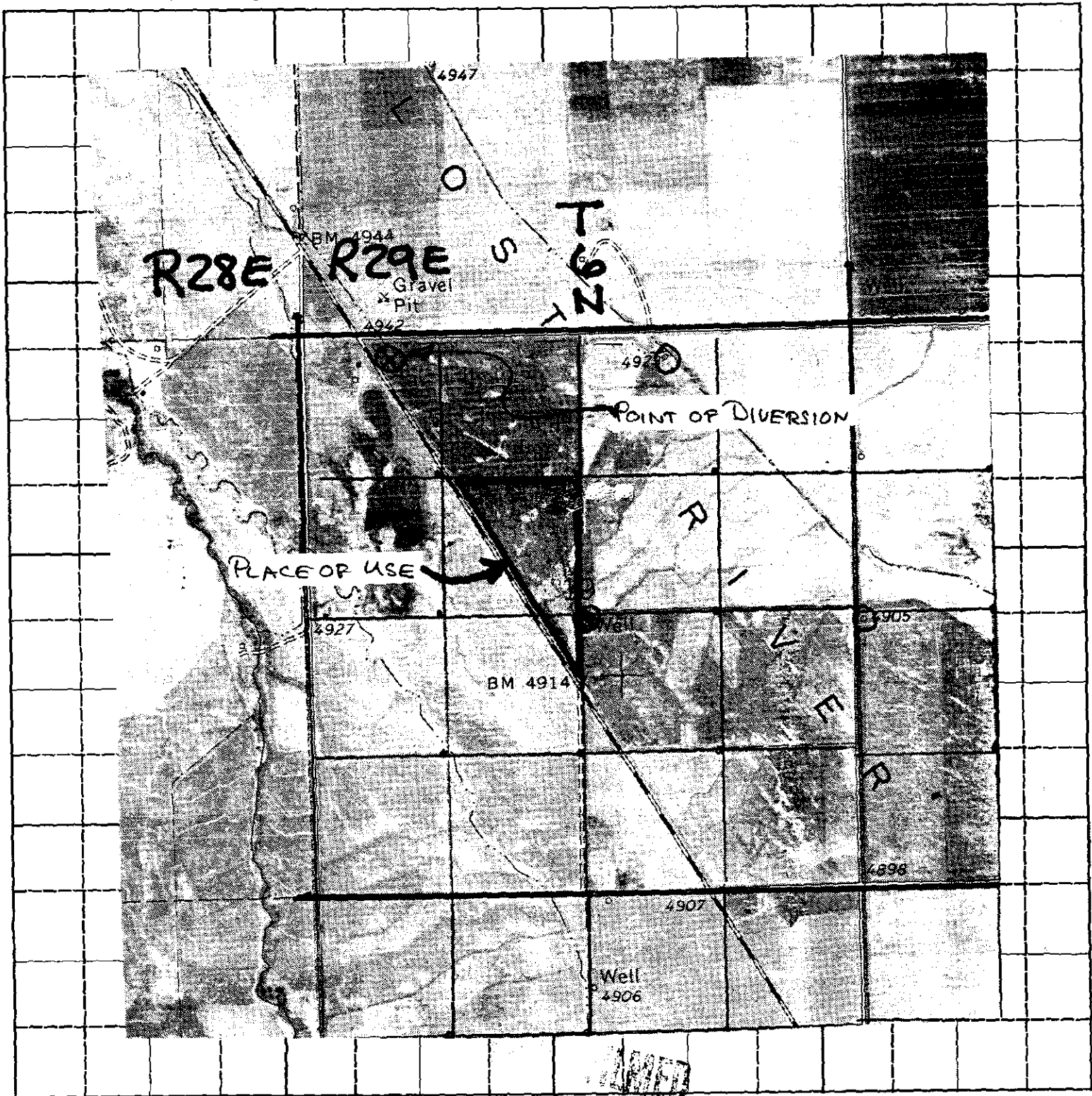
12. Remarks: This is a supplemental water right filing

* P/D same as for 33-2059

* Change as per letter dtd 9 Jan 1991 - KCW

MAY 14 1991

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



Scale: 2 inches equal 1 mile.

MAY 14 1991

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

Byron A. Contor

(Applicant)

Received by KCW Date 12/12/89 Time 1018 Preliminary check by _____

Fee \$ 45⁰⁰ Receipted by KCW # E011294 Date 12/12/1989

Publication prepared by B.P.M. Date 3-12-91 Published in See Submittal

Publication approved TJL Date 4-2-91

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

RECEIVED

MAY 14 1991

MEMORANDUM

TO: FILE 33-07190

FROM: VAULT

RE: TRANSFER # 5650

DATE: 6/5/00

=====

**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 33-02059

MICROFILMED

JUN 15 2000

Memorandum

To: Bryce Contour and Harold Jones

From: Kay Walker *kw*

Date: 01/12/00

Re: Transfer prepared for Owen Romrell (33-02059, 33-07189, 33-07190, 33-10033 and 33-10988)

.....

I have prepared a transfer application for Owen Romrell to cover his entire farm with a ppu and correct errors made between licenses issued in 1995 and SRBA accomplished transfer recommendations. I am sending the transfer application out to Mr. Romrell today and wanted to let you know what my thinking was while preparing it. Shelley and I discussed this situation with Norm – amending the two licenses or "unstacking" rights with a transfer application. Norm preferred the latter so this is how I proceeded.

I have included four of Mr. Romrell's rights under the transfer. Shelley found the enlargement claim would be of dubious value once the transfer is approved. His determination was made using the following:

33-02059	225 acres	3.20 cfs	}	225 acres @ 3.93 cfs = 0.017 per ac
33-10988	225 acres	0.73 cfs		
				+
33-07189	70 acres	0.80 cfs	}	70 acres @ 0.92 cfs = 0.013 per ac
33-07190	10.5 acres	0.12 cfs		
				295 acres @ 3.93 cfs = 0.013 per ac

33-10033 was not included since lands will be covered under the ppu. Note: 33-10033, being an enlargement claim, could be cut off with 1994 priorities if need be, whereas, those lands could be irrigated until a cut in 1989 priorities if regulation of groundwater occurs under this proposed transfer. If a priority cut occurs, Mr. Romrell can still use his full allotment of water – will just have to cut back number of acres irrigated. I have mentioned the possible withdrawal of 33-10033 to Mr. Romrell in my correspondence but did not get into specifics on it.

I hope this helps in case Mr. Romrell comes into your office wondering why I did what I did.

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JUN 15 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 13, 2000

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

RE: Water Rights 33-07189, 33-07190, R33-02059, R33-10033 & R33-10988

Dear Mr. Romrell:

In review of your request to revisit the licenses issued on your property in 1995, I found the easiest way to correct your water rights would be through an application for transfer. I have discussed this with Mr. Bryce Contour of our Eastern Regional Office and he thought this would be satisfactory to you.

I have prepared and enclosed an application for transfer form, which will place all of your water rights on your entire farm, with a system capacity of 3.93 cfs as shown on your recommended SRBA claims. Mr. Contour sent me the GIS shape used for adjudication review of Rts. 33-02059 and 33-10033. I then created a shape for the "wedge" shaped piece in the middle of your farm and found an additional 27 acres within this shape finding your entire place of use to be 295 acres. This transfer, once approved, would allow a little more than 0.013 cfs per acre for each of the 295 acres irrigated.

Please note that I have not included your enlargement claim (R33-¹⁰⁰³³~~10988~~) on this transfer application. I find that the four rights listed on the application form cover your entire farm without the enlargement claim. Once the transfer is approved you may want to withdraw the enlargement claim since your other rights will cover your entire farm.

Please review this transfer application carefully. I have indicated the areas on the form that need to be completed prior to submittal to the Department. If you find that changes need to be made on the application, feel free to make the changes, date and initial any changes made then sign the form in the presence of a notary public. When you submit the application for transfer to the Department it should reflect your water use as you wish it to be recorded.

JUN 15 2000

The transfer application also includes rights recommended in the SRBA (Snake River Basin Adjudication). Once the transfer application is submitted, if final recommendations have been sent to the SRBA Court, a Notice of Administrative Action will be sent to the court so final action is withheld on your recommended claims until the transfer process is completed.

If you have any questions in regard to this matter, please do not hesitate to contact Mr. Contour or me.

Sincerely,

A handwritten signature in black ink that reads "Kay Walker". The signature is fluid and cursive, with the first name "Kay" and last name "Walker" clearly distinguishable.

KAY WALKER
Sr. Water Resource Agent

Enclosure

MICROFILMED
JUN 15 2000



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

ENERGY RESOURCES BUREAU

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

RECEIVED

DEC 22 1999

Department of Water Resources

April 20, 1988

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

Dear Mr. Contor;

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

Hoping you have a profitable irrigation season.

Sincerely,

John Westra
Water Resources Eng.
Specialist

JW/st

Encl:

Shelley -
Keith told me he would have
used the Q off this Energy Audit
had it been avail. This was done
w/ Collins } therefore in my mind more
valid than a Polysonic -
Basco ✓

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JUN 15 2000

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

TEST DATE
8-11-87

SUMMARY:

PUMP #1 : 150 HP JOHNSTON DEEP WELL TURBINE

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

3.75 cfs

3.31 cfs

3.997 cfs

OBSERVATIONS:

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

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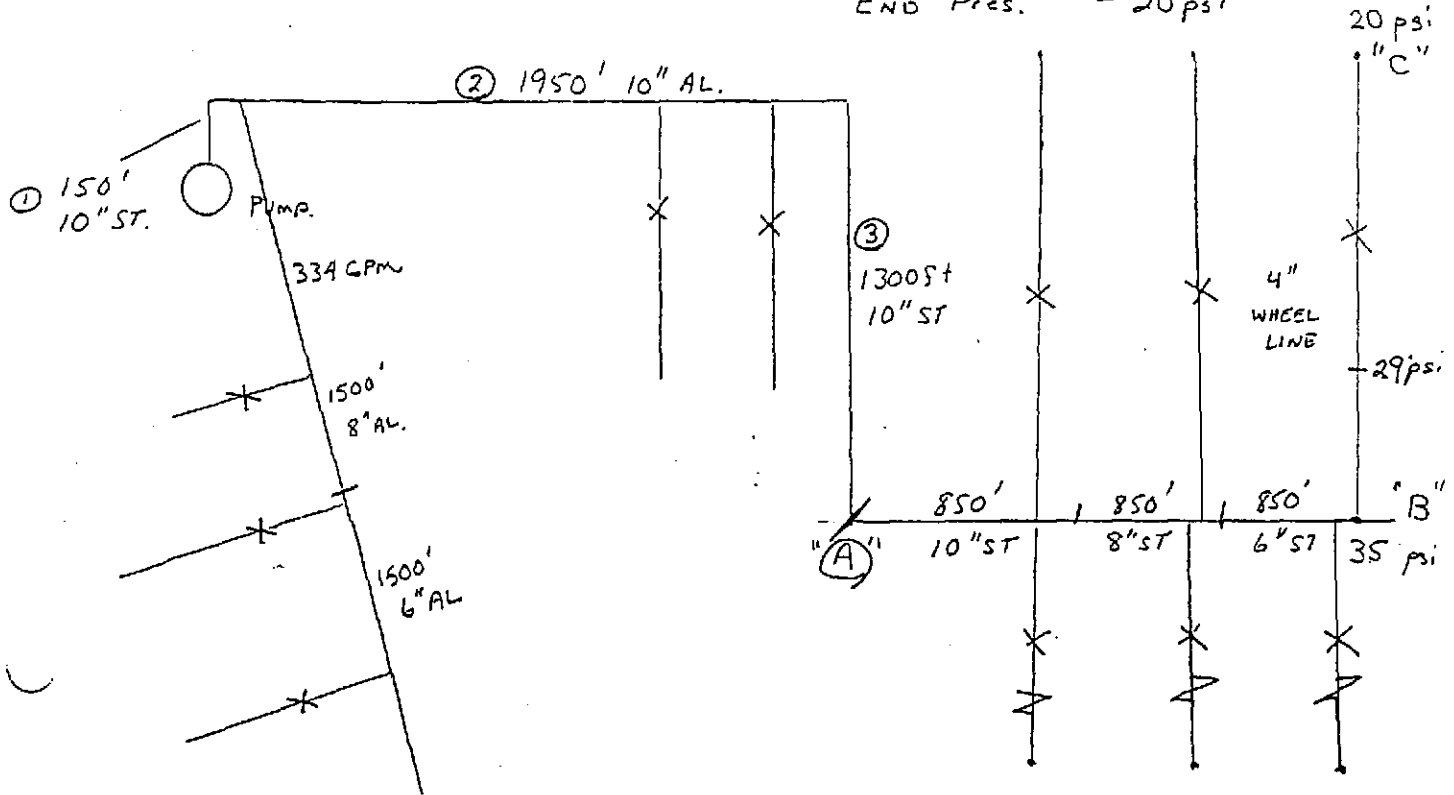
JUN 15 2000

✓

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

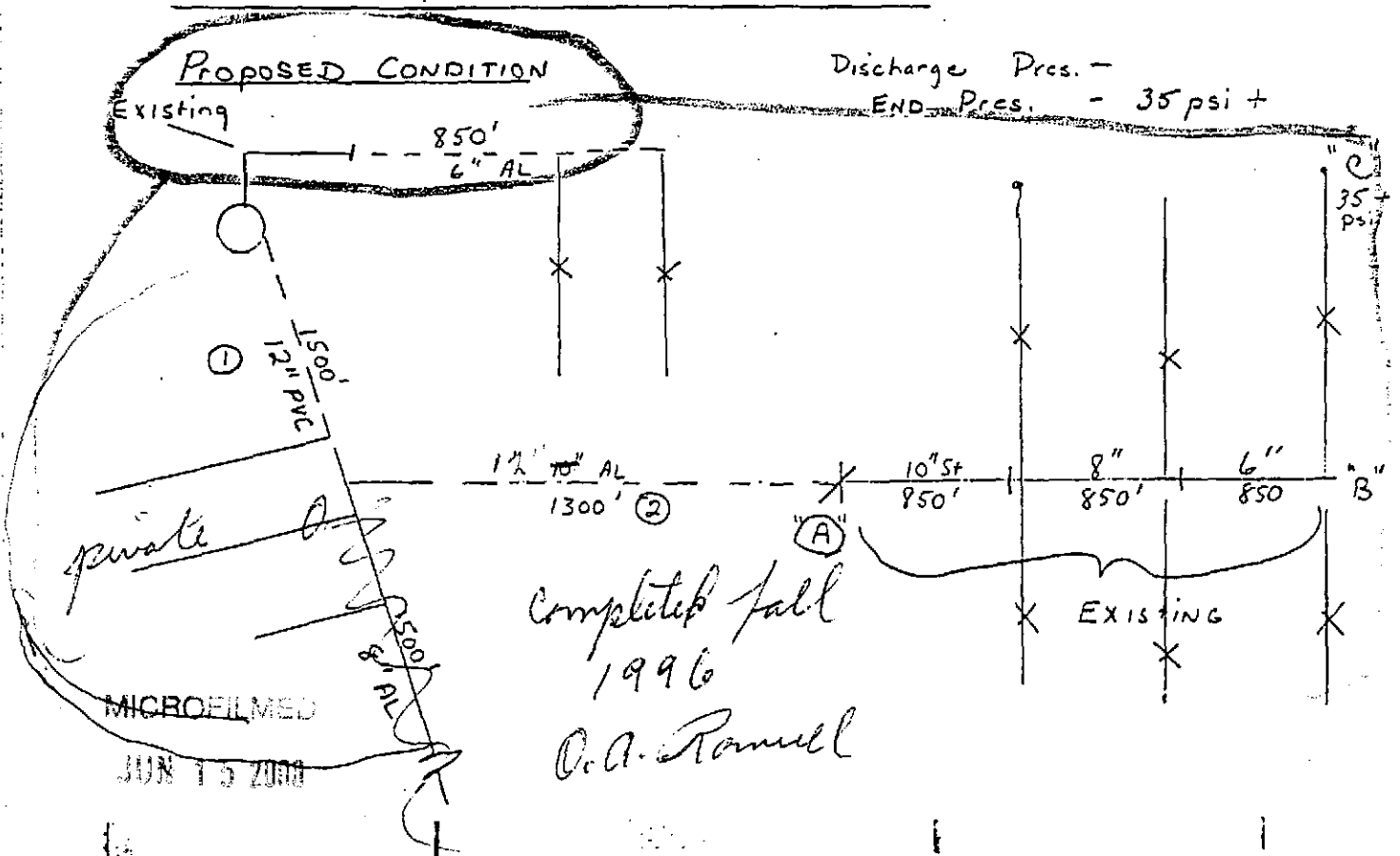
PRESENT CONDITION

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

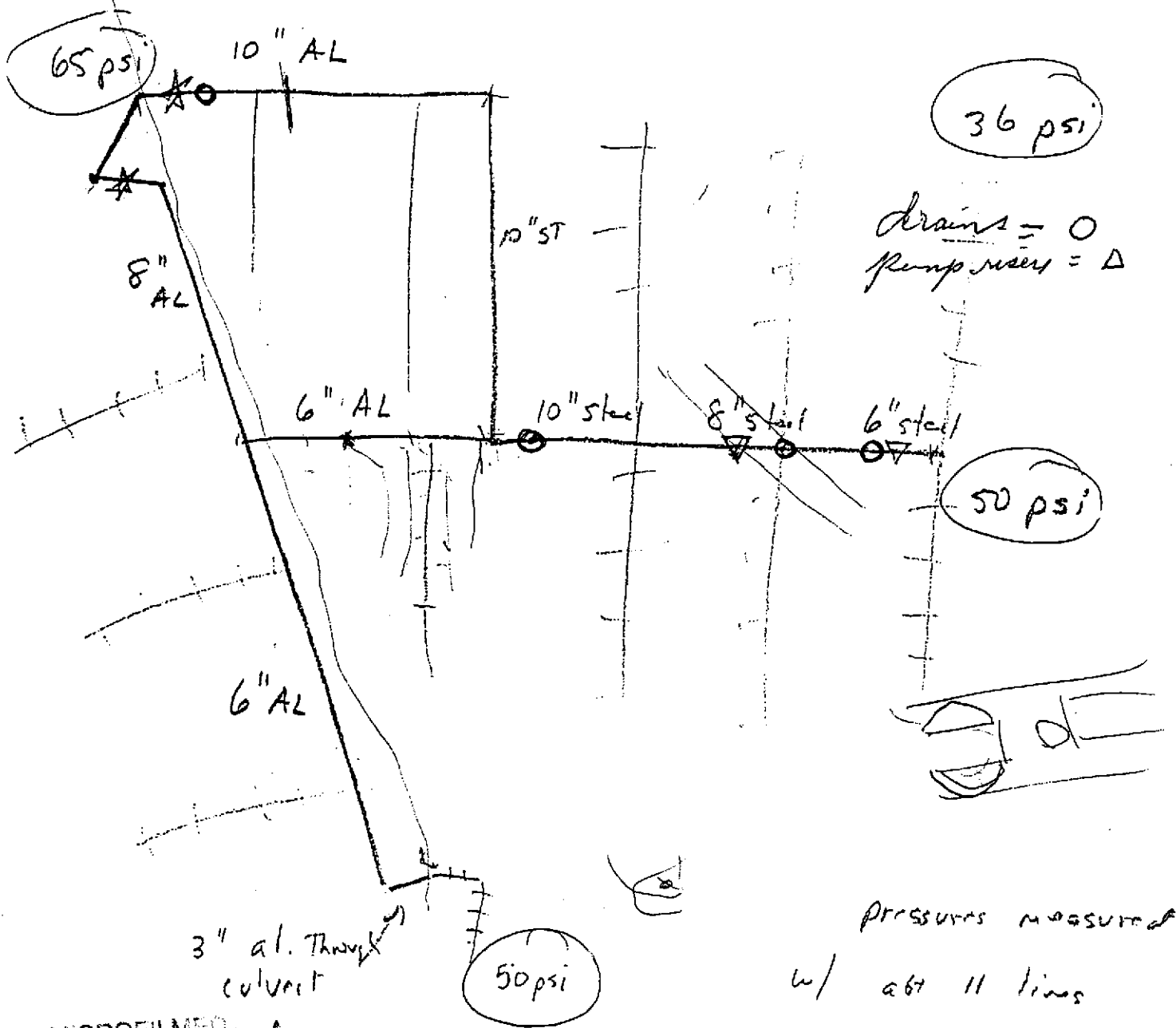


PROPOSED CONDITION

Discharge Pres. -
END Pres. - 35 psi +



System as improved spring 1990:



pressures measured
w/ abt 11 lines
running

MICROFILMED under
JUN 15 2000 highway

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

Keen, Shelley

From: Contor, Bryce
Sent: Tuesday, December 14, 1999 4:06 PM
To: Keen, Shelley
Subject: 33-07189, 33-07190

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

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

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

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

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

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

Thanks, Bryce

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JUN 15 2000

Keen, Shelley

From: Contor, Bryce
Sent: Monday, December 13, 1999 12:08 PM
To: Keen, Shelley
Subject: RE: Owen Romrell request

Folding 33-07190 and the wedge-shaped field into the PPU would work very well. The entire farm is under one delivery system, with one owner.

Romrell's request was framed on the original permitted acres, to avoid a request to also submit an amended permit application. 33-07189 was permitted on a PPU basis on all but the wedge, 33-01790 was permitted only on the wedge.

While recommending a PPU would work, recommending per Romrell's request would also work. It would simply "plug the hole" left in the AJ recommendation.

I don't know if it affects the PPU decision, but there is a difference in cfs recommendations. The AJ recommendations are for a combined limitation of 3.92 cfs, based on the 1957 field exam and a 1987 or 1988 energy audit taken with 11 laterals operating. The licenses used 3.45 cfs, based on Keith Wilson's 1994 measurement with 10 lines running.

3.93 per "R" records
Romrell has not filed claims to enjoin the licenses to the Adjudication. Does it matter either way, for your recommendations?

Thank you for your prompt attention. Please contact me again if there are further questions.

Bryce

-----Original Message-----

From: Keen, Shelley
Sent: Monday, December 13, 1999 7:54 AM
To: Contor, Bryce
Subject: Owen Romrell request

Bryce,

I received Owen Romrell's request on Friday. Can you tell me why he has not asked for 33-07190 to be part of the permissible place of use? Is that wedge-shaped parcel under separate ownership now? Please let me know ASAP.

Thanks.

Shelley

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JUN 15 2000

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

RECEIVED
DEC 9 1999
Department of Water Resources

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

RECEIVED
DEC 9 1999
Department of Water Resources

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

Dear Mr. Saxton and Mr. Keen:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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JUN 15 2000

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

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

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

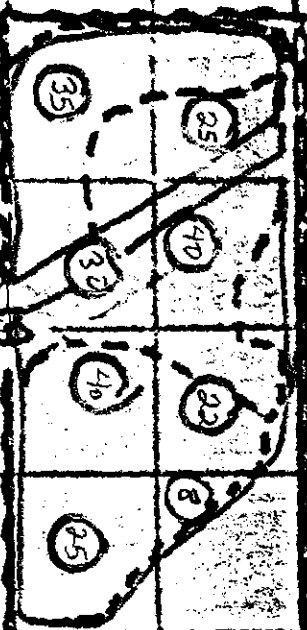
Thank you,



Owen A. Romrell

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JUN 15 2000

R-229 E



Land subdivisions

Irrigated area - 226 Acres as shown on map

Map "A"
from 1957 licensing
BX4m 33-02059
T6N R29E 19

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2003



STATE OF IDAHO

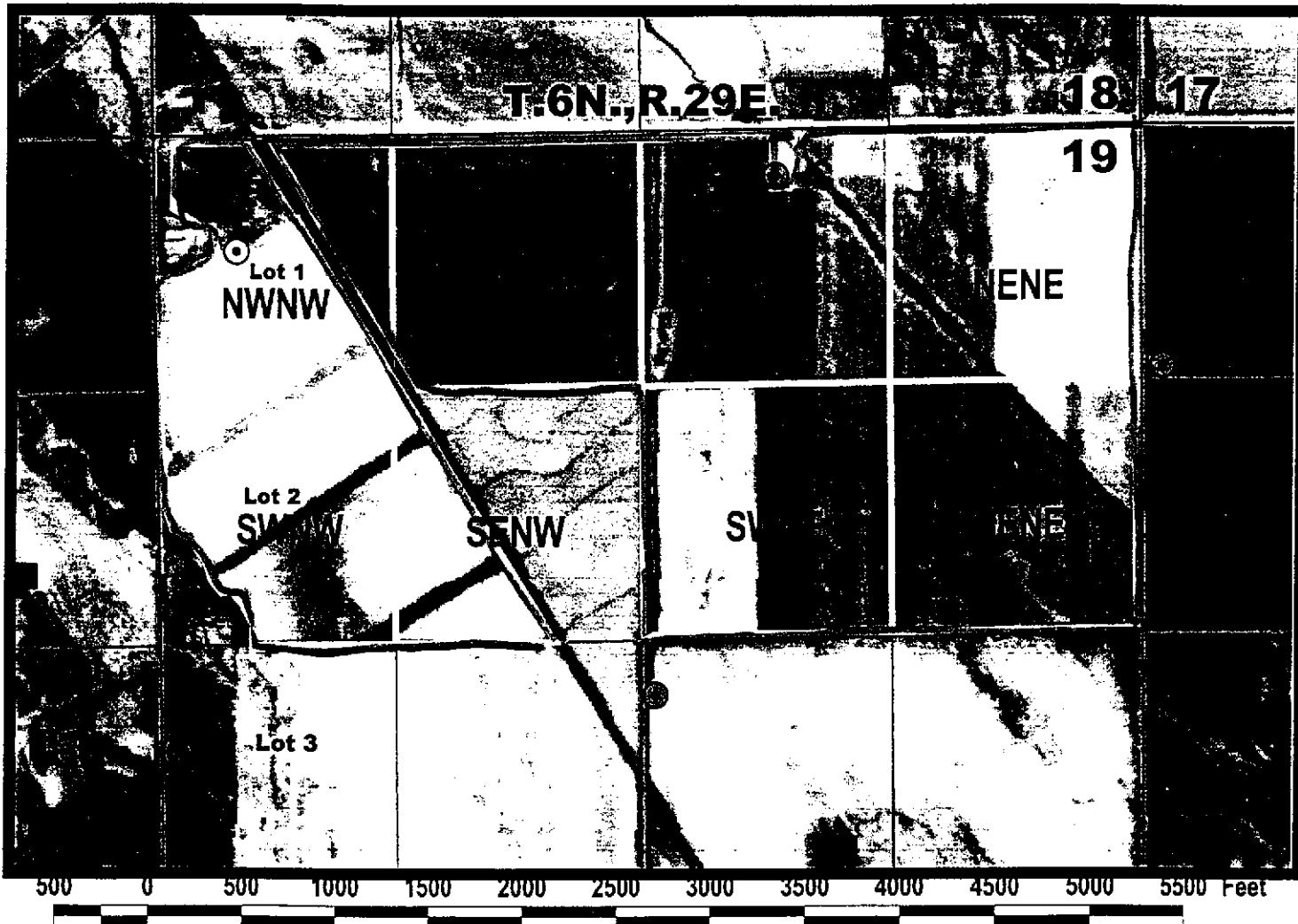
Department of Water Resources

Eastern Region

Map "B"
from recommendations
for claims A33-02059
and A33-10033

Claimant: Owen Romrell

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



LEGEND



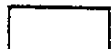
Point of Diversion- GW



Point of Diversion- SW



Place of Use



Section Line

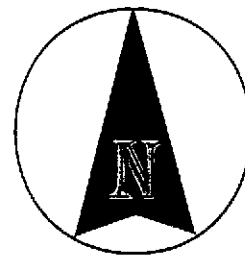


Quarter-section line

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

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

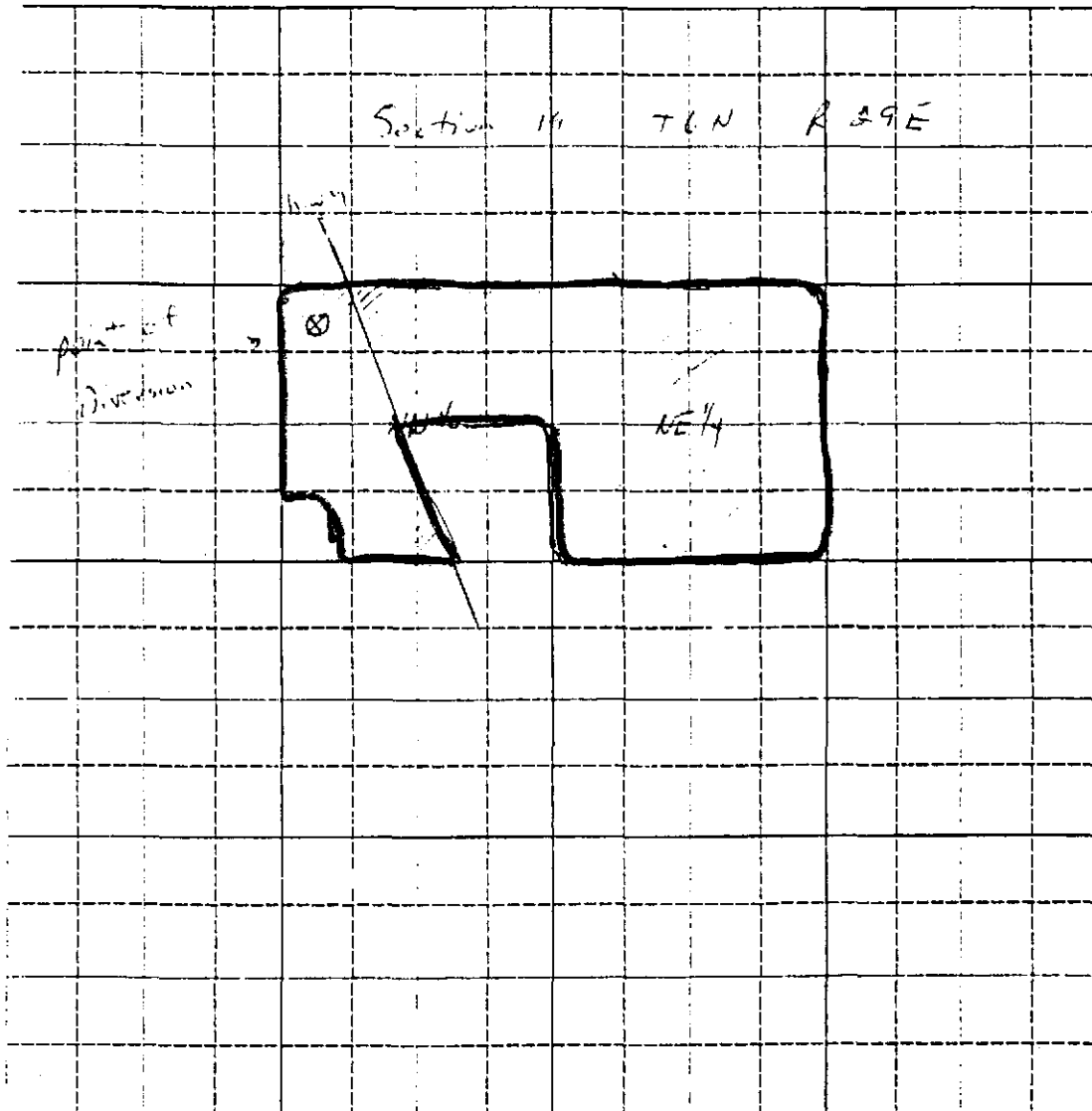
RECORDED
JUN 15 2000



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

11 "C" from
application for
permit 33-07189

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



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

Byron A. Conton
(Applicant)
Valerie A. Conton

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JUN 15 2000

33-07190

R28E R29E T6N

POINT OF DIVERSION

PLACE OF USE

BM 4914

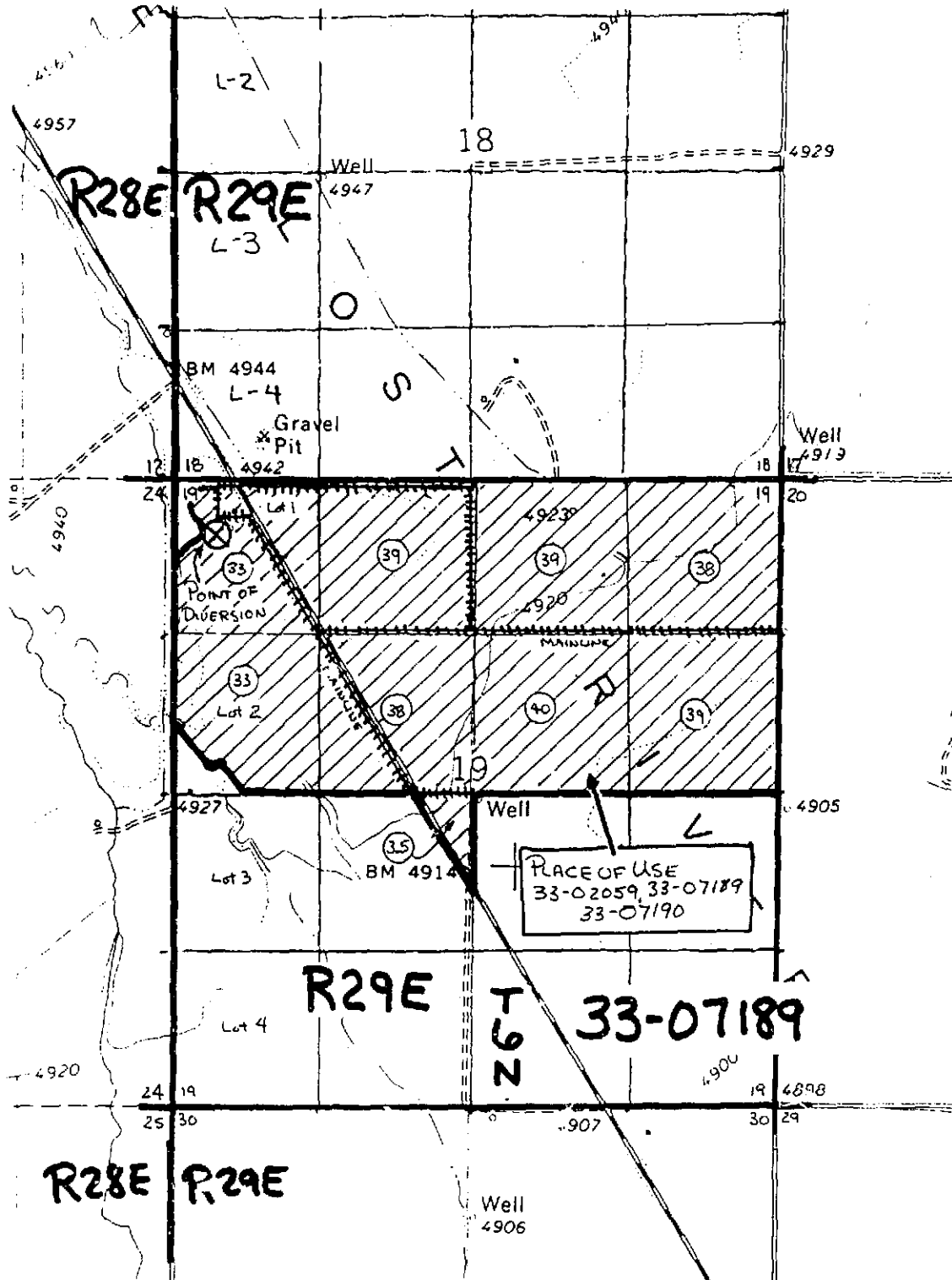
Well #906

Well #907

Bayer A. Contor
(Applicant)

MICROFILM

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



MICROFILMED
JUN 15 2008

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

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

PLACE OF USE				NE				NW				SW				SE				TOTAL
	T	R	S	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	ACRES
Exam Acres	6N	29E	19	38	39	40	34	39	33	33	38	3.5								302.5
LICENSE																				
33-02059				8	22	40	25	40	25	35	30	(@ .014 per acre)								
RECOMMEND																				
43-07189				30	17		14		9		1									
RECOMMEND																				
33-07190											7	3.5								
Total Acres				38	39	40	34	39	33	33	38	3.5								302.5

MICROFILMED
JUN 15 2000



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

June 30, 1995

OWEN ROMRELL
HC 65 BOX 58
HOWE ID 83244

RE: WATER RIGHT NO. 33-07190

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECORDED

JUL 19 1995

MEMORANDUM

DATE: June 28, 1995

TO: Norm Young

FROM: Shelley W. Keen *SWK*

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

=====

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

RECORDED

JUL 19 1995

LICENSE REVIEW CHECKLIST

PERMIT NO. 33-7190 DATE 6-22-95
6-26-95



NAME Change OK ☒ Or Address Change? ☐

PRIORITY DATE Advance? ☒ Advanced to: _____
Order to reinstate needed? _____
Incorrect fee for rate recommended? NO

SOURCE Changes or just clarification of originally ☒
intended source? _____
Notice of Intent to Void necessary? _____

POINT OF DIV Amendment needed? Add Gov Lot 1 ☒
Overlaps? 33-02059 and 33-07189
for 3.20 CFS @ .014 per acre

PLACE OF USE Amendment needed? ☒
Overlaps? Additional acres - Can't tell if they ☒

DIV RATE Permit/fee limits: .58 ☒
Meas Q = 3.45 Theo Q = 3.47 Recommend: .12
SYSTEM RATE = 3.45/302.5 = .0114 PER ACRE
10.5 x .0114 = .12 CFS
Combined rates exceed capacity YES - CONDITION

ANNUAL VOLUME Volume Limit: (NEW Season) 8/3.5 (4-15 to 10-15) ☒
Calculations: 10.5 x 3.5 = 36.8 gF
Flow limit: _____ cfs x _____ x 1.9835 = _____
Combined volumes exceed capacity/allowable NO

USES Change in Nature of Use or additional uses? ☒
Amendment necessary? _____

ADDITIONAL INFO Supplemental Groundwater NO PPU Scenario NO
Irr/Dom Combination NO Shared G/W System YES

NEW REMARKS Multiple p/d(s) in 1/4 1/4? ☒
W41 Other 33-02059/33-07189 - 3.45 CFS

NEW CONDITIONS Watermaster control - District _____
Measuring/Locking Devices _____
R30 Irrigation Overlap _____
YES Other R55 R56 R57 (trust) _____
Water Quality _____ Heat/Cool/Fish verified _____

COMMENTS: Reduce acres and rate; According to examiner, no surface
water gets to the land.

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	<u>NO</u>
<u>Irrigation</u>	<u>.12</u>	<u>36.8</u>	<u>Adjustment Memo Needed</u>	<u>NO</u>
_____	_____	_____	<u>LICENSE</u>	☒
_____	_____	_____	<u>1ST AMEND LETTER</u>	_____
_____	_____	_____	<u>2ND AMEND LETTER</u>	_____

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

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

MICROFILMED

JUL 19 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUN 12 1995

Department of Water Resources
33-7190

A. GENERAL INFORMATION

Permit No. 33-7189/7190

1. Owner: Owen Romrell Phone No. 767-3478

Current Address: HR 65 Box 58 Howe Id 83244

2. Accompanied by: Aaron Romrell EXAM DATE: 22 July 94

Address: Same Phone No. _____

Relationship to Permit Holder: Son

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

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

2. Other water rights with the same point of diversion: 33-02059, 33-07189

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	1		NW	NW	19	6N	29E	Butte	USGS MAP / on site

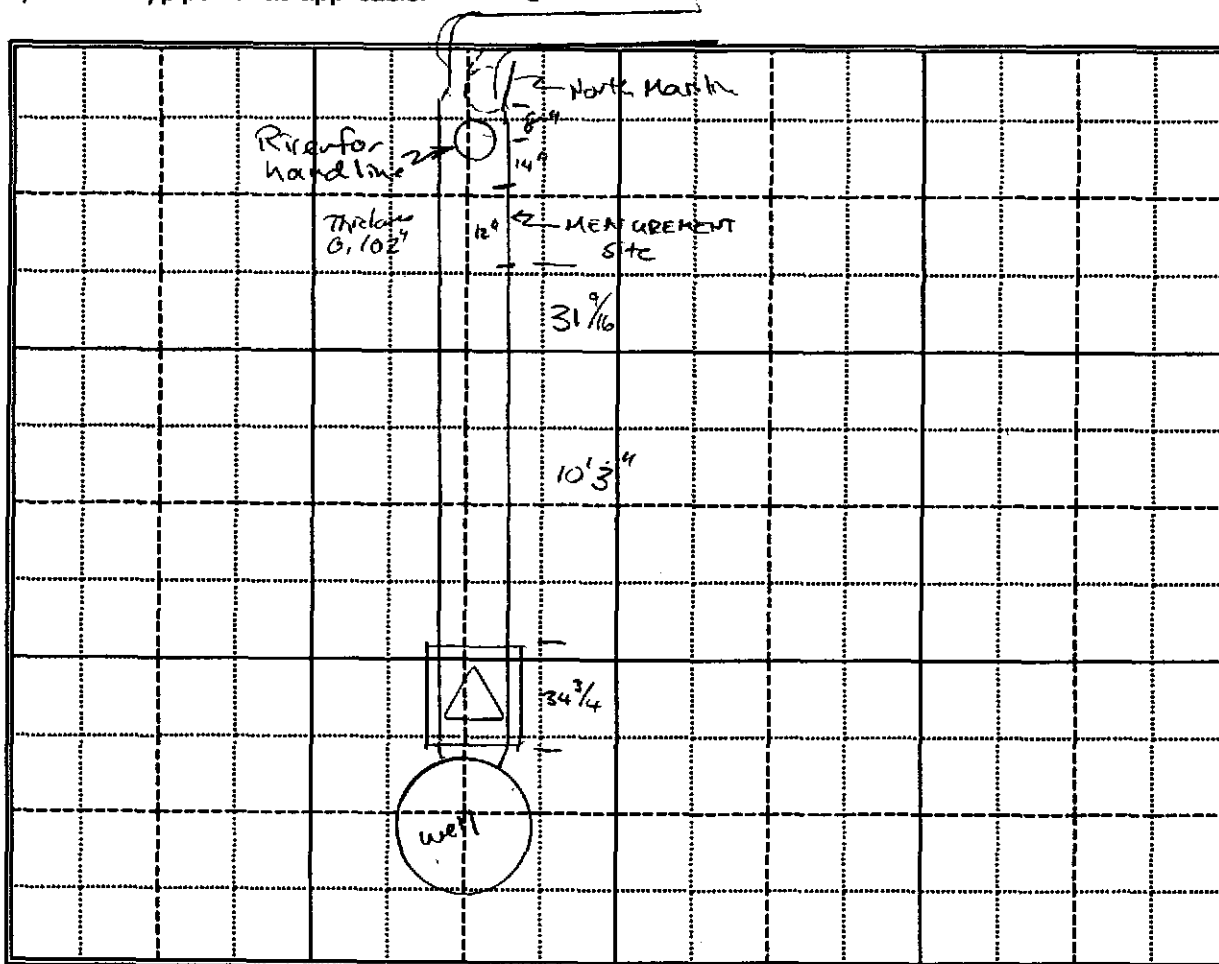
2. Place(s) of Use:

Indicate Method of Determination ON SITE AISC AERIAL

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	29E	19								7	3.5								10.5

JUL 19 1995

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



Scale: 1" = _____

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

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

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Pump 8	US Electric	150	R6350-05-8009 R21357278	Johnston	11 1/2" discharge

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

D. FLOW MEASUREMENTS

1. *Polysonic*

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

2. Measurements: 66 psi

JUL 19 1995

E. NARRATIVE/REMARKS/COMMENTS

well pump mainline to hand lines & 10 wheel lines

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

Remains $\frac{5}{82}$ "

No surface water used on place of use according to permit holders son and according to Allen Ruberry (adj staff) no surface water gets to place of use.

This exam done in conjunction with 33-07189

System capacity is the limiting factor for this permit at the current diversion rate (0.011404 cfs/ac) only those lands not covered by Lic 33-02059 and Permit 33-07189 can be covered by this permit. The remaining acres are for 10.5 ac $\times$ 0.011404 cfs/ac this equals 0.119 cfs or 0.12 cfs. (See attached copy of Point of diversion overlap analysis for Permit 33-07189)

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

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

RECEIVED

JUL 19 1995

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (10.5 \text{ ac})(3.5) = 36.8 \text{ afz}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (0.12)(183)(1.9835) = 43.6$$

$$V = \text{Smaller of } V_{IB} \text{ and } V_{DB} = 36.8$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

	Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
		From	To		
*	<u>IRRIGATION</u>	<u>4/1</u>	<u>10/31</u>	<u>0.12 cfs</u>	<u>36.8</u>
	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>
	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>
	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>
	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>
	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>
	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>
	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>
		Totals:		<u>0.12 cfs</u>	<u>36.8 afa</u>

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name KEITH C. WILSON Date 7-22-94

Reviewer H. W. Jones Date 6-2-95

* Changed season of use to current standard. BC

JUL 19 1995

07-22 11:1400 *R
+ 1.549E 3GPM

07-22 11:1400 *R
+ 1.513E 3GPM

07-22 11:1500 *R
+003.00 % A12

0375.4 MMSEC
100.95 % T0

07-22 11:2000 *R
+ 1.511E 3GPM

PRINTER USE
? YES

07-22 11:2000 *R
+ 1.513E 3GPM

MODE SELECT
INPUT

OUTER DIAMETER
10.0465 IN

PIPE MATERIAL
? CS:SS

WALL THICKNESS
0.1020 IN

INNER LINING
? NO LING.

KIND OF FLUID
? ANOTHER

SOUND VELOCITY
1450 M/S-

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
7.348 IN U

07-22 11:2100 *R
+ 1.511E 3GPM

07-22 11:2200 *R
+003.00 % A12

MODE SELECT
TO CHECK

0375.0 MMSEC
100.26 % T0

07-22 11:2200 *R
+ 1.511E 3GPM

ZERO MODE
AUT ZERO

07-22 11:2400 *R
+ 1.506E 3GPM

07-22 11:2400 *R
+003.00 % A12

MODE SELECT
TO CHECK

0375.0 MMSEC
100.26 % T0

07-22 11:2400 *R
+ 1.506E 3GPM

07-22 11:2500 *R
+ 1.506E 3GPM

07-22 11:2500 *R
+ 1.511E 3GPM

07-22 11:2600 *R
+ 1.507E 3GPM

07-22 11:2700 *R
+ 1.512E 3GPM

MODE SELECT
DATA

DATA SET MODE
? PRINT

07-22 11:2700 *R
+ 1.511E 3GPM

USED Highest
Reading
Q = 1549 gpm
= 3.45 cfs

33-718
33-7190
JUL 19 1995

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

$$Q_{cfs} = [(Hp)(8.814)(Eff)] \div [Lift + (psi \times 2.308)]$$

$$Hp = \text{Horsepower} = \underline{150}$$

$$Eff = \text{Efficiency} = \underline{70\%} \quad (\text{Usually } 70\%)$$

$$\text{Lift: (Static Level + Assumed Drawdown)}$$

$$\text{Static Water Level} = \underline{104} \quad \text{ft. well log in area}$$

$$\text{Assumed Drawdown} = + \underline{10} \quad \text{ft.}$$

$$\text{Lift} = \underline{114'}$$

OR

$$\text{Measured Dynamic Water Level} = \underline{\hspace{2cm}} \text{ ft.}$$

$$psi = \text{Operating Pressure} = \underline{66} \text{ psi (measured)}$$

$$Q_{cfs} = \left[\frac{150}{Hp} \times 8.814 \times \frac{0.70}{Eff} \right] \div \left[\frac{114}{Lift} + \left(\frac{66}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\underline{925.47} \right] \div \left[\underline{266.328} \right]$$

$$Q_{cfs} = \underline{3.47} \text{ cfs}$$

Permit ~~33-07189~~
33-07190

MICROFILMED

JUL 19 1995

full

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

WELL OWNER
Name NORMAN ALLEN
Address HOWE IDAHO
Owner's Permit No. _____

7. WATER LEVEL
Static water level 104' feet below land surface
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Temperature _____ ° F. Quality good
Artesian closed-in pressure _____ p.s.i.
Controlled by ☐ Valve ☐ Cap ☐ Plug

NATURE OF WORK
☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning) _____

8. WELL TEST DATA
☐ Pump ☐ Bailer ☐ Other
Discharge G.P.M. Draw Down Hours Pumped

PROPOSED USE
☒ Domestic ☐ Irrigation ☐ Test ☐ Other (specify type) _____
☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection

9. LITHOLOGIC LOG
Hole Diam. Depth Material Water
From To Yes No
8" 0 4' SILT ☐ ☒
0 96' GRAVEL & SOME CLAY ☐ ☒
96 140 GRAVEL & SAND ☐ ☒

METHOD DRILLED
☒ Cable ☐ Rotary ☐ Dug ☐ Other

WELL CONSTRUCTION
Diameter of hole 8 inches Total depth 140' feet
Casing schedule: ☐ Steel ☐ Concrete
Thickness Diameter From To
1/4" WALL inches 8 inches + 1 feet 140 feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
Was casing drive shoe used? ☒ Yes ☐ No
Was a packer or seal used? ☒ Yes ☐ No
Perforated? ☒ Yes ☐ No
How perforated? ☐ Factory ☐ Knife ☒ Torch
Size of perforation 1/4" inches by 6 inches
Number From To
7 per ft perforations 100 feet 140 feet
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet

Will screen installed? ☐ Yes ☒ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Gravel packed? ☐ Yes ☒ No Size of gravel _____
Placed from _____ feet to _____ feet

Surface seal depth 20' Material used in seal ☐ Cement grout
☒ Pudding clay ☐ Well cuttings
Sealing procedure used ☐ Sherry pit ☐ Temporary surface casing
☒ Overbore to seal depth

LOCATION OF WELL
Sketch map location must agree with written location. 33

Subdivision Name _____
Lot No. _____ Block No. _____
County BUTE

SW 1/4 SW 1/4 Sec 18 T. 6 N. R. 29 E. 1995

10. Work started AUG 76 finished SEPT 76

11. DRILLERS CERTIFICATION
Firm Name SHERRY WEL DRILLING Firm No. 279
Address MAGLAY IDAHO Date 5 OCT 1976
Signed by (Firm Official) G.F. RAMSEY
and SHERRY
(Operator) G.F. RAMSEY FOR
SHERRY

~~33-07189~~
33-07190

AREA SAMPLE
19 1995

☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Depth	Time

Temperature of water _____ Was a water analysis done? Yes ☐ No ☒
By whom? _____

Water Quality (odor, etc.) _____
Bottom Hole Temperature _____

11. STATIC WATER LEVEL:

100 ft. below surface Depth artesian flow found
Artesian pressure _____ lb. Describe access port: 1 1/2 pipe
Describe Controlling Devices:

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	GPM	SW
20	0	26	overburden		
20	6	12	SAND & GRAVEL		
20	12	20	clay & gravel		
16	20	25	clay & GRAVEL		
16	25	67	SAND & GRAVEL		
16	67	102	CLEAN GRAVEL		
16	102	132	CLEAN GRAVEL		100
16	132	137	clay		
16	137	145	hard pan		
16	145	149	clay		
16	149	210	SAND & GRAVEL		
16	210	215	clay & gravel		100

~~33-7189~~

33-7190

RECEIVED

SEP 12 1994

Department of Water Resources

San Diego District Office

Date: Started 10-8-94 Completed 8-29-94

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	
Bentonite	0	20	20 sk	over drill

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

8. CASING/LINER:

Diameter	From	To	Gauge	Casting	Liner	Steel	Plastic	Welded	Threaded
16	11	214	025			☒	☐	☒	☐
						☐	☐	☐	☐
						☐	☐	☐	☐
						☐	☐	☐	☐

Final location of shoes 214

Top Packer or Headpipe _____ Bottom Tailpipe _____

9. PERFORATIONS/SCREENS

☒ Perforations Method torch

☐ Screens Type _____ Material _____

From	To	Slot Size	Number	Diameter	Telg/Pipe Size	Casting	Linear
104	204	5"	300	1/4		☐	☐
						☐	☐
						☐	☐
						☐	☐
						☐	☐

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 Matheis Well Drilling Firm No. 226

Firm Official H. T. Guthrie Date 9-9-94
and

Supervisor or Operator _____ Date _____

(Sign once if Firm Official & Operator)

AREA EXAMPLE

FOR INFORMATION ONLY

33-07190

Form 2/95

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

POINT OF DIVERSION OVERLAP REVIEW

-33-07189

Permit Number

1. Analysis of Entire System, Current Application Rate per Acre (Q_c):

Limit to 0.02 cfs/ac, Permitted Amount, or System Capacity, WHICHEVER IS LESS.

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

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

2. Old Application Rate per Acre = (Q_o) from Licensed Flow Rates:License # 33-02069 @ 3.20 cfs / 225 ac

License # _____ @ _____ cfs / _____ ac

License # _____ @ _____ cfs / _____ ac

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

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

3. Comparison of Diversion Rates if:

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

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

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

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

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

$$Q_a = [(\underline{\hspace{2cm}}) - (\underline{\hspace{2cm}})] \times (\underline{\hspace{2cm}}) = Q_a = \underline{\hspace{2cm}} \text{ cfs}$$

cfs/ac cfs/ac acres

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

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

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

GO TO ITEM #4B.

4. Calculate Total Flow Rate to be licensed:

A. Rate EXCLUDING Licensed land. Total Ac. (#1.A) - Lic. Ac. (#2) = New Ac. *
 $(\underline{302.5}) - (\underline{225}) = \underline{77.5}^* \text{ ac}$

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

CONDITIONS/REMARKS: *at current rate of diversion only 70 acres can be licensed as
 permit is for only 0.80 cfs ($0.80 \text{ cfs} / 0.011404 \text{ cfs/ac} = 70 \text{ ac}$) ($70 \text{ ac} \times 0.011404 \text{ cfs/ac} = 0.798 \text{ cfs} = 0.80 \text{ cfs}$)

B. Flow Rate INCLUDING licensed land.

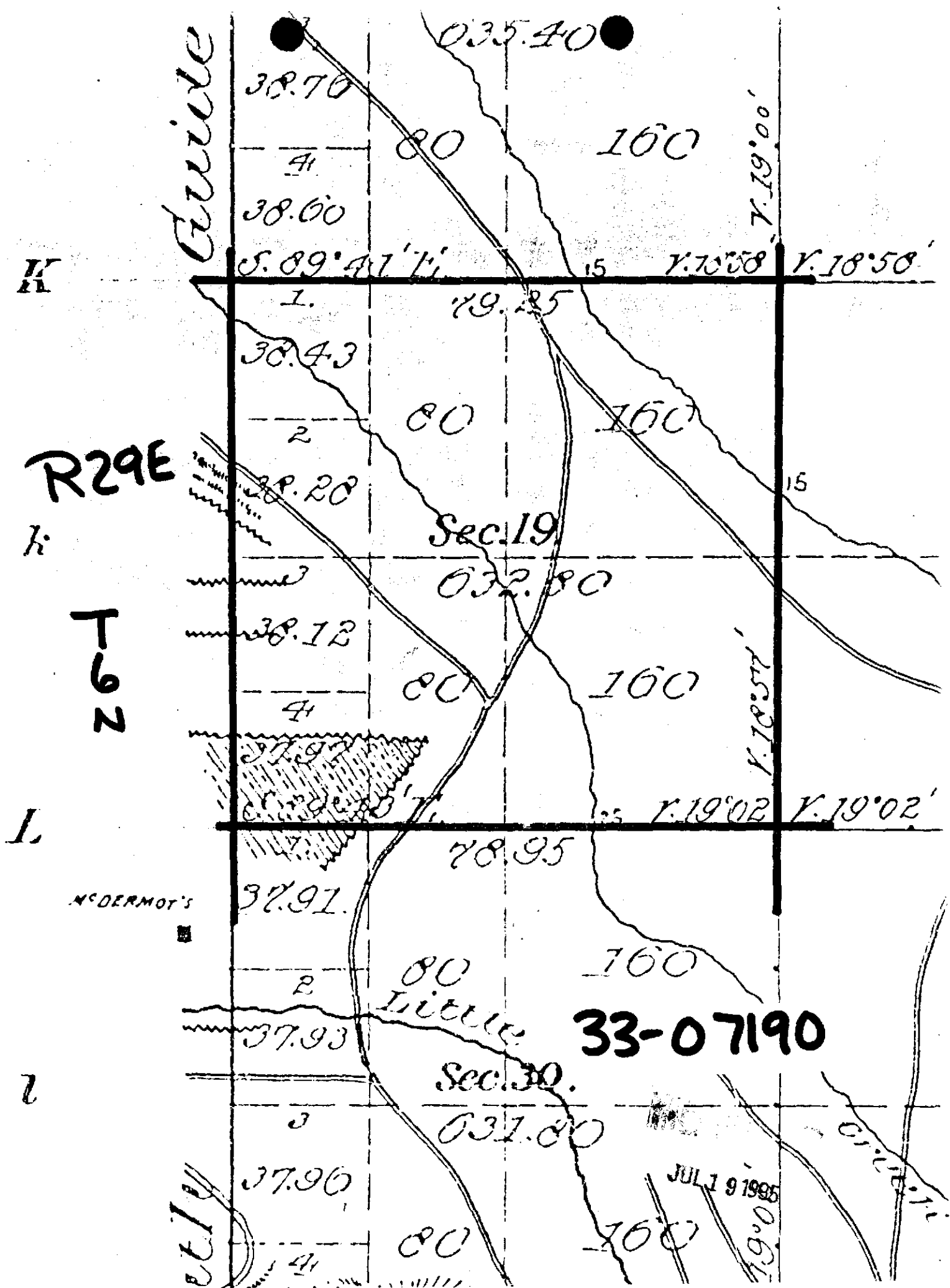
$$Q_t = Q_a(\#3.B.1) + Q_n(\#3.B.2) = \underline{\hspace{2cm}} \text{ cfs} + \underline{\hspace{2cm}} \text{ cfs}$$

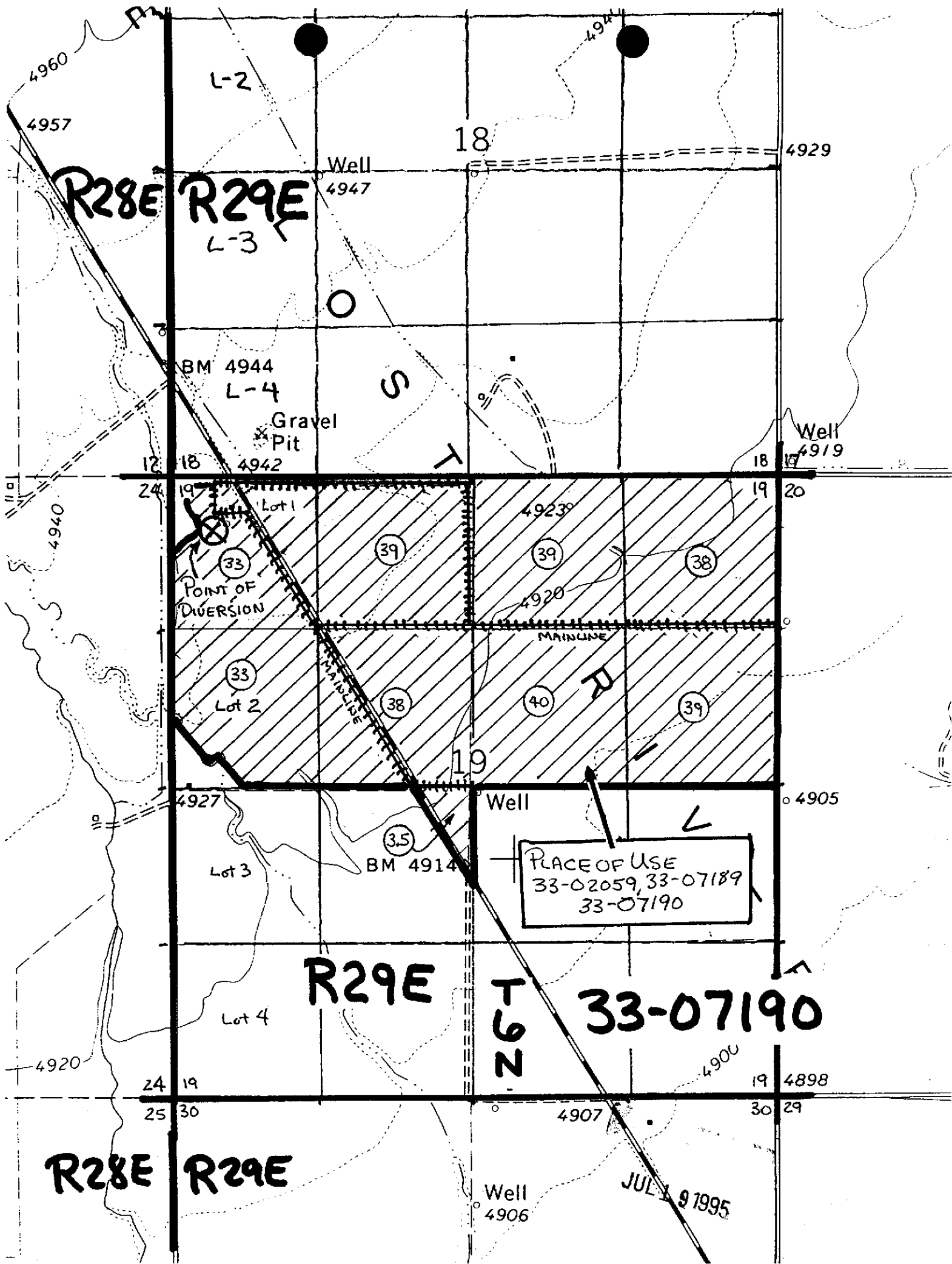
CONDITIONS/REMARKS: _____

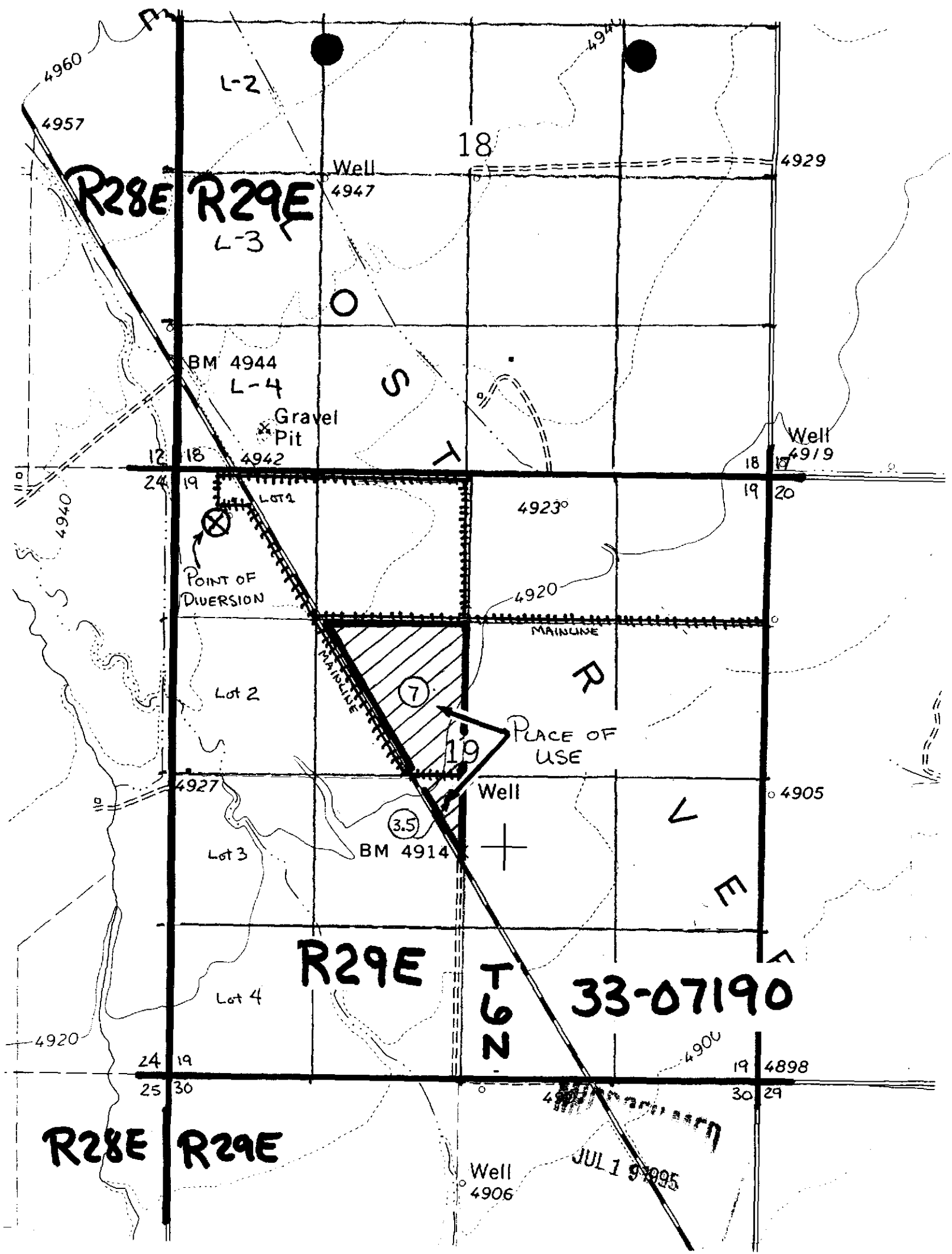
COPY FOR EXAM ON

33-07190CONDITION
ONLY FOR
33-7189

JUL 19 1995







R28E R29E
L-3

Well 4947

BM 4944
L-4

Gravel Pit
4942

POINT OF DIVERSION

Lot 2

Lot 3

Lot 4

BM 4914
(3.5)

4923°

4920

MAINLINE

PLACE OF USE

Well

R29E

T6N

33-07190

R28E R29E

Well 4906

JUL 19 1995

341
T-461
G OWENS

NHEL
NW
146.5

MAINLINE

39.6

18

39

39

38

33-07189

42.7

POINT OF DIVERSION

Lot 2

33

24.5

35

7

5

22.3

67.4

PLACE OF USE

40

39

3.0

631
T-313
HANSEN

Lot 3

629 NHEL
NW
T-385
PANCHERI INC.

3.5

T
6 R29E
N

Lot 4

33-07190

127.4

JUL 19 1995



Well



To
Well

JUL 1 9 1995

~~33-7189~~
33-7190



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 23, 1993

OWEN ROMRELL
HC 65 BOX 58
HOWE ID 83244

Re: Permit Nos. 33-07189 & 33-07190

Dear Permit Holder(s):

We acknowledge receipt of the correspondence transferring ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

A handwritten signature in cursive script that reads 'Cindy Zimmerman'.

CINDY ZIMMERMAN
Water Resource Agent

RECEIVED

MAY 25 1993

March 6, 1992

VALENE R. CONTOR
BRYCE A. CONTOR
HC 65 BOX 1058
HOWE ID 83244

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 33-07190

Dear Permit Holder:

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

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

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APR 08 1992



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 13, 1991

BRYCE A. CONTOR
VALENE R. CONTOR
HC 65 BOX 1058
HOWE, ID 83244

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 33-07190

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by state action, and is held in trust by the State of

RECORDED & INDEXED
FILMED

MAY 14 1991

Idaho for the use and benefit of the people within the state.
Conditions pertaining to a term review, annual use fee and
jurisdiction of the permit are trust water conditions.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

6-30-1991
MAY 14 1991

AFFIDAVIT OF PUBLICATION

I, Colleen Babcock
of the Arco Advertiser, a weekly newspaper of
general circulation, published weekly at Arco, Idaho,
since March, 1909, do solemnly swear that a copy of
this notice, per clipping attached, was published
weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof,

for 2 consecutive weeks, commencing with
the issue dated March 21, 1991

and ending with the issue dated

March 28, 1991
Colleen Babcock

STATE OF IDAHO

COUNTY OF BUTTE

On this 29 day of March
in the year of 1991, before me, a Notary Public,

personally appeared

Colleen Babcock

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.

Thomas D. Carroll
Notary Public for Idaho

Residing at Arco, ID.

My commission expires: 12-17-91

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

33-07189

CONTOR, BRYCE A.
CONTOR, VALENE R.
HC 65 BOX 1058
HOWE, ID 83244
Source: GROUNDWATER
Diversión Pt: NWNWNW Sec: 10 T06N
R 29E S19
Use: IRRIGATION: (.800 CFS)
Total Diversión: (.800 CFS)
Date Filed: 7/31/1989
In: T06N R29E S19 NENE NWNW
SWNE SENE NENW NWNW SWNW
SENW
265.0 ACRES TOTAL

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

33-07190

CONTOR, BRYCE A.
CONTOR, VALENE R.
HC 65 BOX 1058
HOWE, ID 83244
Source: GROUNDWATER
Diversión Pt: NWNW Sec: 10 T06N R
29E S19
Use: IRRIGATION: (.580 CFS)
Total Diversión: (.580 CFS)
Date Filed: 12/12/1989
In: T06N R29E S19 SENW NESW
29.0 ACRES TOTAL
The permits will be subject to all prior
water rights. Protests may be submitted
based on the criteria of Sec. 42-203A
Idaho Code and/or the new public inter-
est criteria of Sec. 42-203C Idaho Code.
Protests must be filed with the Director,
Dept. of Water Resources, Statehouse,
Mail Box 8, Idaho 83720, on or before
APRIL 8, 1991.
W. R. Keith, Higginson, Director
Published 3/21/1991 3/23/1991

0/2
EJL
4-2-91

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APR 01 1991

Department of Water Resources

REGISTERED

MAY 14 1991

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S
State Office
1301 North Orchard St.

Statehouse Mail
Boise, Idaho 83720
(208) 327-7900

MARCH 11, 1991

Arco Advertiser
Box "C"
Arco, ID 83213

Dear Legal Dept.:

Enclosed you will find legal notices which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and publication billing to this office before APRIL 8, 1991.

Yours truly,

BRENDA L. MILLER
Clerical Specialist

Encl.

RECEIVED

MAY 14 1991

33-07190

CONTOR, BRYCE A.
CONTOR, VALENE R.
HC 65 BOX 1058
HOWE, ID 83244

Source: GROUNDWATER

Diversion Pt: NWNW Sec 19 T 06N R 29E

Use: IRRIGATION (.580 CFS)
Total Diversion: (.580 CFS)

Date Filed: 12/12/ 1989

In: T06N R29E S19 SENW NESW

29.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before APRIL 8, 1991.

R. Keith Higginson, Director

Published 3/21/1991 & 3/28/1991

DISCLOSED

MAY 14 1991

MEMORANDUM

TO: FILE

FROM: TIM LUKE

RE: APP. NO. 33-7189 & 33-7190/Trust Water Processing

DATE: 3-5-91

The above applications have come up for sequential trust water processing. Based on review of the returned questionnaire and correspondence, the development represented by the applications have been in place prior to 1984. The attached place of use overlap report shows that all of the acreage under the filings was classified as irrigated by the department for the 1986 irrigation season. There was no other available aerial photograph available either here at IDWR or at the State SCS office to confirm irrigation prior to October of 1984. The attached report shows that application 33-7189 is largely a supplemental filing. Application 33-7190 represents an expansion of existing rights and uses.

Based on the information submitted by the applicant and the 1986 IDWR data, I would accept the applicants statements concerning development prior to October of 1984. The acreage under the application will not be counted as trust acreage but both applications are considered trust water filings due to the post 1984 priority dates.

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MAY 14 1991

1 March 1991
HC 65 Box 1058
Howe, Idaho 83244
208 767 3203

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MAR 04 1991

Department of Water Resources

Tim Luke
Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000

Dear Mr. Luke:

Enclosed are completed Trust Water Information Questionnaires regarding application number 33-7189 and 33-7190. Questions 2a and 2b refer to past development and irrigation. The following paragraphs should explain that history.

Blaine County Canal Company records indicate that parts of this farm, especially the west half, have been irrigated since the 1920's or before. In 1952 a well was drilled (water right 33-2059) and used with the canal water on 225 acres.

In 1977 sprinklers were installed by a previous owner, but no changes were filed with IDWR. Adjudication claim A33-2059 represents the increased acres under the sprinklers, and permit application 33-7189 represents the increased diversion of water associated with that 1977 change.

The twenty nine acres under application 33-7190 were apparently watered from the 1920's until 1952 with Blaine County Canal Company water. From 1952 until 1977 they were watered with both canal water and well water under 33-2059. In 1977 sprinklers were installed on the rest of the farm and the twenty nine acres have since been irrigated exclusively with canal water.

Application 33-7190 is to add that twenty nine acres to the sprinkler system. My intent would be to be able to pump canal water into the mainline at times and at times to use the well. It does not represent any new acres. Though the flow from the well would be increased, converting from surface irrigation to sprinklers should result in an overall savings in water.

If there are any other questions, please contact me.

Sincerely,

Bryce A. Contor
Bryce A. Contor

MICROFILMED

MAY 14 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

Application No. 33-7190

INSTRUCTIONS: IF YOU ARE NOT INTERESTED IN HAVING THE APPLICATION PROCESSED, PLEASE COMPLETE AND RETURN THE ENCLOSED WITHDRAWAL FORM.

IF YOU WISH TO HAVE THE APPLICATION PROCESSED, PLEASE ANSWER THE FOLLOWING QUESTIONS AS THOROUGHLY AS POSSIBLE. FAILURE TO RETURN EITHER THE WITHDRAWAL FORM OR QUESTIONNAIRE IS CAUSE FOR THE DEPARTMENT TO VOID THE APPLICATION.

1a. Are you the current owner of the land or place of use described under this application? Yes X No

b. If you are not the property owner, please describe the arrangement enabling you to develop the proposed project.

N/A

2a. Has the source of water listed on this application been used to irrigate any of the land described under this same application prior to October 1, 1984? Yes X No

b. If yes, please describe the extent of development and number of acres irrigated. (Note: Uses developed after October, 1984 are considered trust water diversions and may be subject to certain conditions. You may be asked to verify uses established prior to October, 1984.)

see attached letter

3. If you answered NO to ques #2a, please state the number of acres you have irrigated with this source after October 1, 1984. N/A

4. If you have not irrigated lands under this application, please state the number of acres you plan to complete. N/A

5. If the permit is a supplemental filing please identify other water rights which are used on the same land.

Rights of Blaine County Canal Co., basin 33 including 33-00002 & others

Use the reverse side of this form if you wish to add any comments. You may mark changes on the enclosed application to designate any proposed amendments. (Note: Proposed changes which result in an expansion of use will not be considered by the department.)

I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in voiding of the application.

Applicant Byrne A. Contor

Date 1 Mar '91

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MAY 14 1991

03/05/91

WR-NUMBER	NAME	STG	SOURCE	T	R	NE				SW				SE				SUM
						NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3307189	BLAINE COUNTY	INVESTIME D	DRY CREEK	06N	29E	19	:	:	:	:	:	:	:	:	:	:	:	:
3300002	BLAINE COUNTY	INVESTIME D	DRY CREEK	06N	29E	19	:	:	:	:	:	:	:	:	:	:	:	:
3300003	BLAINE COUNTY	INVESTIME D	LITTLE LOST RIVER	06N	29E	19	:	:	:	:	:	:	:	:	:	:	:	:
3300004	BLAINE COUNTY	INVESTIME D	LITTLE LOST RIVER	06N	29E	19	:	:	:	:	:	:	:	:	:	:	:	:
3300005	BLAINE COUNTY	INVESTIME D	LITTLE LOST RIVER	06N	29E	19	:	:	:	:	:	:	:	:	:	:	:	:
3300006	BLAINE COUNTY	INVESTIME D	SAWMILL CREEK	06N	29E	19	:	:	:	:	:	:	:	:	:	:	:	:
3300007	BLAINE COUNTY	INVESTIME D	SAWMILL CREEK	06N	29E	19	:	:	:	:	:	:	:	:	:	:	:	:
3300008	BLAINE COUNTY	INVESTIME D	SAWMILL CREEK	06N	29E	19	:	:	:	:	:	:	:	:	:	:	:	:
3300009	BLAINE COUNTY	INVESTIME D	SAWMILL CREEK	06N	29E	19	:	:	:	:	:	:	:	:	:	:	:	:
3300010	BLAINE COUNTY	INVESTIME D	SAWMILL CREEK	06N	29E	19	:	:	:	:	:	:	:	:	:	:	:	:
3300011	BLAINE COUNTY	INVESTIME D	SAWMILL CREEK	06N	29E	19	:	:	:	:	:	:	:	:	:	:	:	:
3300012	BLAINE COUNTY	INVESTIME D	SAWMILL CREEK	06N	29E	19	:	:	:	:	:	:	:	:	:	:	:	:
3300013	BLAINE COUNTY	INVESTIME D	SAWMILL CREEK	06N	29E	19	:	:	:	:	:	:	:	:	:	:	:	:
3300014	BLAINE COUNTY	INVESTIME D	DRY CREEK	06N	29E	19	:	:	:	:	:	:	:	:	:	:	:	:
3300015	BLAINE COUNTY	INVESTIME D	LITTLE LOST RIVER	06N	29E	19	:	:	:	:	:	:	:	:	:	:	:	:
3300016	BLAINE COUNTY	INVESTIME D	SUMMIT CREEK	06N	29E	19	:	:	:	:	:	:	:	:	:	:	:	:
3300031F	HANSEN BROTHERS	D	LITTLE LOST RIVER	06N	29E	19	:	:	:	:	:	:	:	:	:	:	:	:
3300048	HANSEN	D	LITTLE LOST RIVER	06N	29E	19	:	:	:	:	:	:	:	:	:	:	:	:
3300049	HANSEN	D	LITTLE LOST RIVER	06N	29E	19	:	:	:	:	:	:	:	:	:	:	:	:
3300050	HANSEN	D	SAW MILL CREEK	06N	29E	19	:	:	:	:	:	:	:	:	:	:	:	:
3300068	BLAINE COUNTY	CANAL CO D	LITTLE LOST RIVER	06N	29E	19	:	:	:	:	:	:	:	:	:	:	:	:
3300075	BLAINE COUNTY	CANAL CO D	LITTLE LOST RIVER	06N	29E	19	:	:	:	:	:	:	:	:	:	:	:	:
3300077	BLAINE COUNTY	CANAL CO D	SAWMILL CREEK	06N	29E	19	:	:	:	:	:	:	:	:	:	:	:	:
3300083	HANSEN	D	LITTLE LOST RIVER	06N	29E	19	:	:	:	:	:	:	:	:	:	:	:	:
3300098	BLAINE COUNTY	CANAL CO D	DRY CREEK	06N	29E	19	:	:	:	:	:	:	:	:	:	:	:	:
3302032	HARRELL	P	WARM SPRING CREEK	06N	29E	19	:	:	:	:	:	:	:	:	:	:	:	:
3302059	HANSEN	L	GROUNDWATER	06N	29E	19	:	:	:	:	:	:	:	:	:	:	:	:
3302094	MAYS	L	GROUNDWATER	06N	29E	19	:	:	:	:	:	:	:	:	:	:	:	:
3302105	HANSEN	L	GROUNDWATER	06N	29E	19	:	:	:	:	:	:	:	:	:	:	:	:
3307189	CONTOR	A	GROUNDWATER	06N	29E	19	:	:	:	:	:	:	:	:	:	:	:	:
3307190	CONTOR	A	GROUNDWATER	06N	29E	19	:	:	:	:	:	:	:	:	:	:	:	:
1986 MAPPING DATA ---																		
COUNTY 23 QUAD W 84 06N 29E 19 38 39 40 38 : 39 41 42 40 : 40																		
(4)(2)																		

MICROFILMED

MAY 14 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 26, 1991

RE: APPLICATION FOR PERMIT NO. _____

Dear APPLICANT:

Due to the Swan Falls litigation, Department approval of the enclosed application may have been delayed. The Department is presently reviewing your application and may authorize the proposed development.

The purpose of this letter is to determine: (1) if you are still interested in developing the project, and (2) the extent of development, if any, that has already occurred under the application. Enclosed are two forms requesting information which will help the Department expedite the processing of the application.

1. If you have abandoned or have no interest in continuing with your plans for development of the project, please complete the enclosed withdrawal form and return it to the Department. If you request a withdrawal of the application and the application was not previously advertised, the department will refund your original filing fee.

2. If you wish to continue with your proposed development plans, or have completed all or a portion of the proposed development before October 1, 1984, then you must complete and return the enclosed questionnaire. You may use the questionnaire and enclosed application to make any comments &/or amendments concerning the application. Your completion of the questionnaire will expedite processing and help the department determine if the water diverted under the application is public water or trust water. Approved trust water applications may be subject to additional conditions.

Failure to return either of the above forms within thirty (30) days of the date of this letter is cause for the Department to void the application.

Please be further advised that if any undeveloped portion of your proposed project is greater than 200 acres, or if the application proposes diversion of more than 5.0 cfs, the department will issue a notice requesting additional information as required by Water Appropriation Rule 4,5. (copy enclosed). In particular, rules 4,5,3. through 4,5,3,5. apply to your project if it is more than 200 acres. If necessary, the rule 4,5. information notice will be sent to you after you return the questionnaire.

14 1991

Page 2

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 327-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000
Attn: Tim Luke

Please note that a copy of your application is enclosed. The application number is also shown on the enclosed questionnaire.

Sincerely,



TIM LUKE
Sr. Water Resource Spec.

Enclosures

RECEIVED

MAY 14 1991

RECEIVED

JAN 11 1991

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

Department of Water Resources
Eastern District Office

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

Dear Mr. Wilson:

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

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

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

Thank you,

Bryce A. Conter
Bryce A. Conter

NOTE: 11 Jan 91
Change Computer
entry for P/D

Kaw

RECORDED

MAY 14 1991

11 January 1991

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

Dear Mr. Contor:

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

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

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

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

Sincerely,

Keith C. Wilson
Senior Resource Agent

RECEIVED

MAY 14 1991