

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 April 4, 1991

and ending with the issue dated

April 11, 1991
Colleen Babcock

STATE OF IDAHO }

COUNTY OF BUTTE }

On this 16 day of April

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
33-07183**

CALLAHAN, BILL
CALLAHAN, MARCUS
330 N. 14TH STREET
LAS VEGAS, NV 891010000
Source: GROUNDWATER
Diversion Pt: SWSW Sec 16 T 05N R
29E

Use: IRRIGATION (6.400 CFS)
DOMESTIC (.040 CFS)

Total Diversion: (6.440 CFS)

Date Filed: 4/17/1987

In: T05N R29E S16 NESW NWSW
SWSW SESW NESE NWSE SESE
320.0 ACRES TOTAL

**NOTICE OF APPLICATION
FOR TRUST WATER RIGHT
33-07191**

ROSS, ROCKY
ROSS, CAROL
P.O. BOX 10
HOWE, ID 83244
Source: GROUNDWATER
Diversion Pt: NWNESW Sec 21 T 07N
R 28E

Use: IRRIGATION (1.340 CFS)

Total Diversion: (1.340 CFS)

Date Filed: 12/20/1989

In: T07N R28E S20 NENE SENE

S21 NWNW SWNW

67.0 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 inter-
est 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 22, 1991.

R. Keith Higginson, Director

Published 4/4/1991 & 4/11/1991

RECEIVED

APR 17 1991

Department of Water Resources

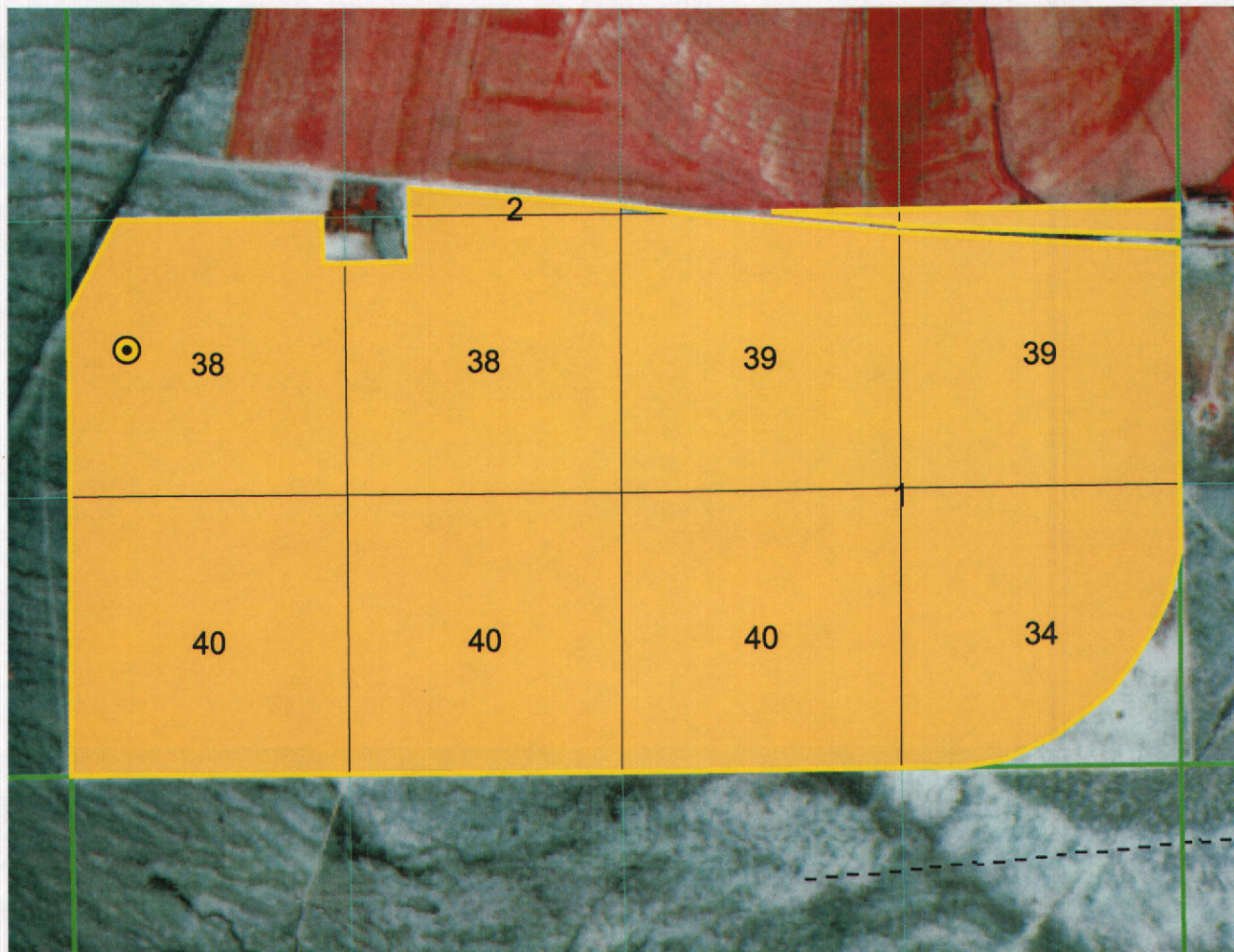
MICROFILMED

JUN 03 1991

Idaho Department of Water Resources

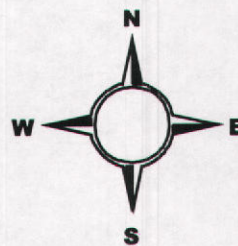
Mays Land And Livestock

Permit 33-07183



0 1320 Feet

Township 5 North Range 29 East
Section 16



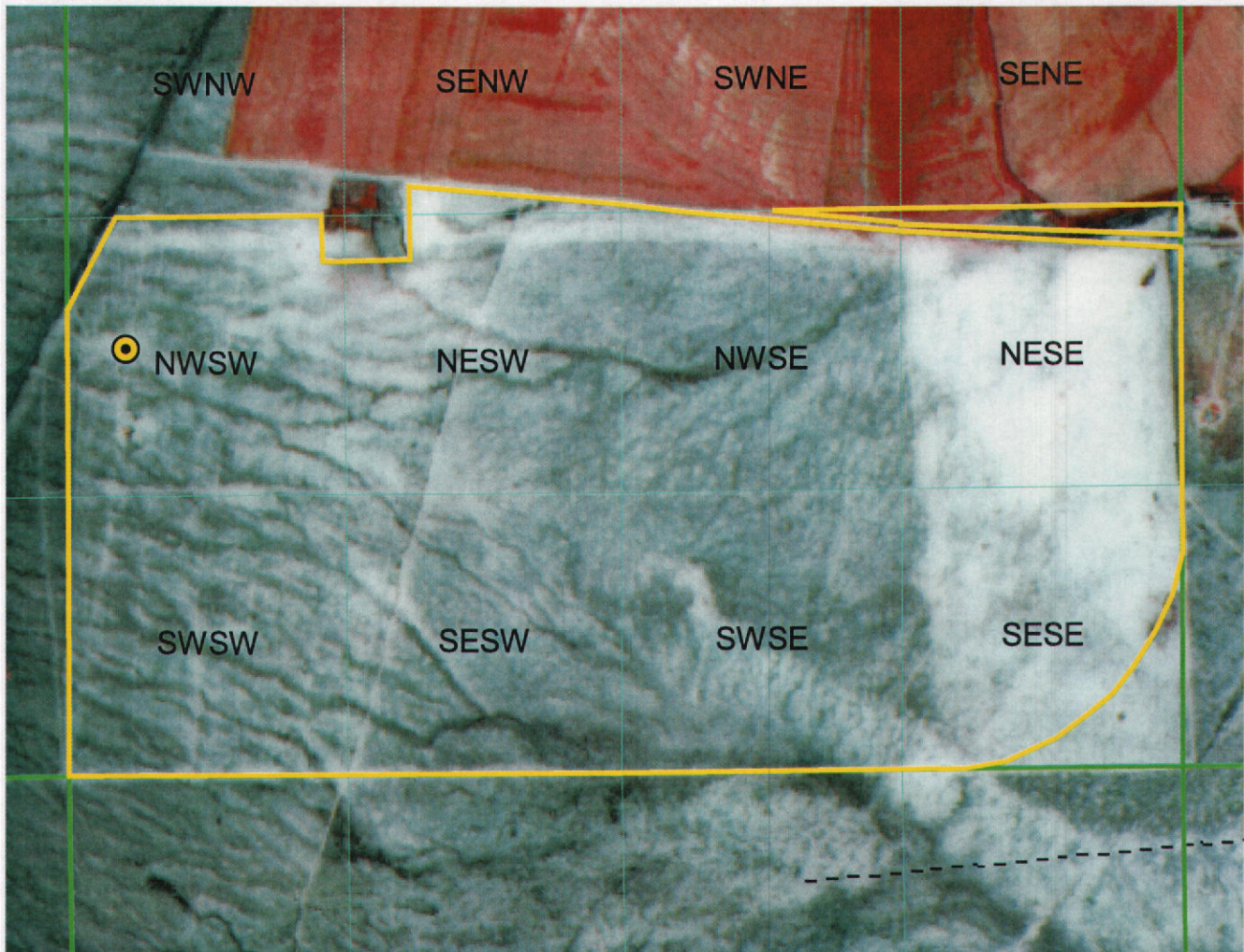
-  Well
-  Place of Use
-  Section Lines
-  Quarter-Quarter Lines

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by Bryce A. Contor
August, 1999

Idaho Department of Water Resources

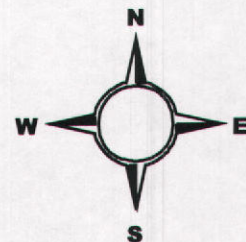
Mays Land And Livestock

Permit 33-07183



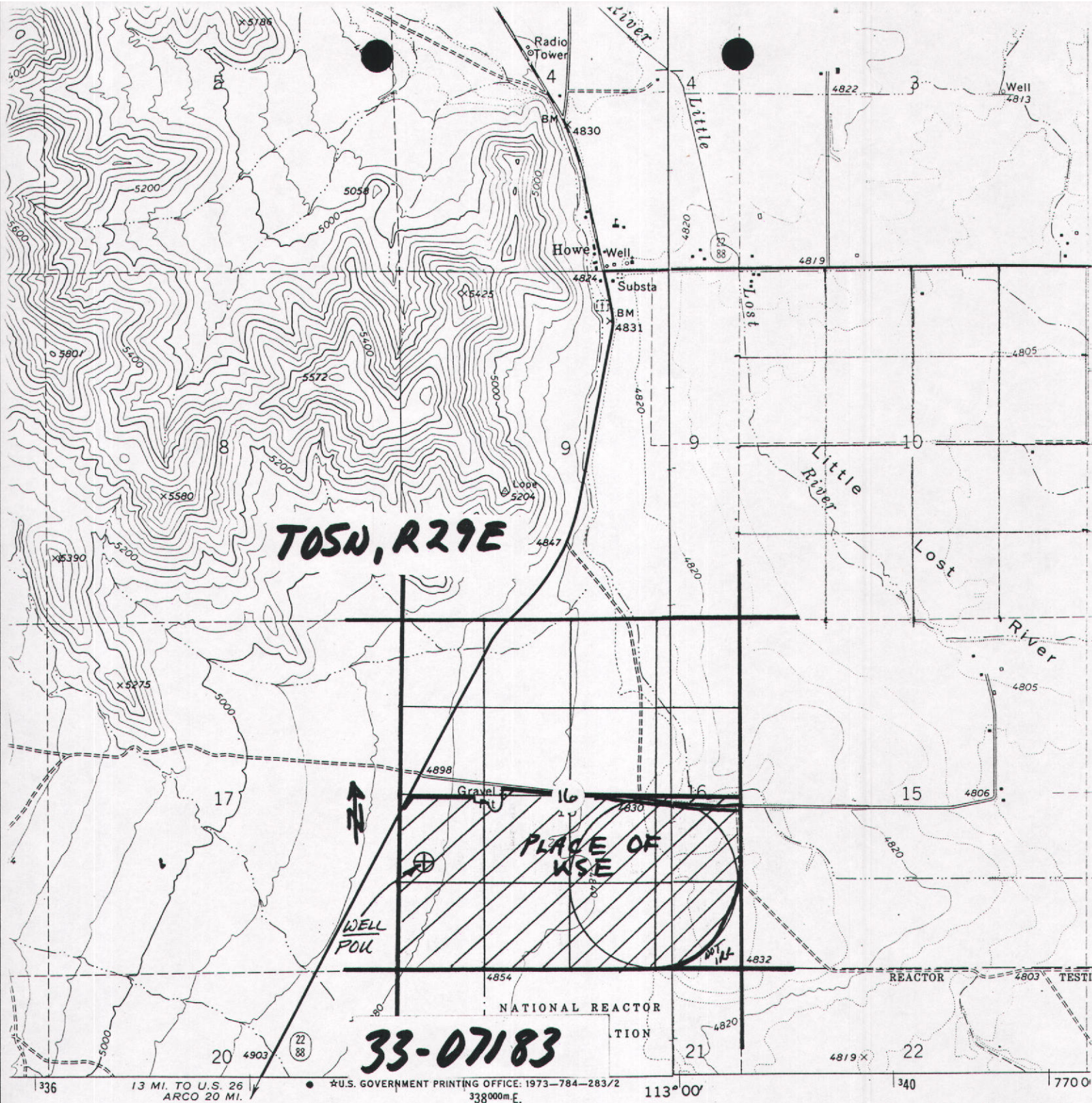
0 1320 Feet

Township 5 North Range 29 East
Section 16



-  Well
-  Place of Use
-  Section Lines
-  Quarter-Quarter Lines

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by Bryce A. Contor
August, 1999



ROAD CLASSIFICATION

Primary highway, hard surface _____ Light-duty road, hard or improved surface _____
 Secondary highway, hard surface _____ Unimproved road _____
 () Interstate Route () U. S. Route () State Route

Mapped, edited, and published by the Geological Survey of the United States
 Control by USGS and USC&GS

Topography by photogrammetric methods from aerial photographs taken 1967. Field checked 1969

Polyconic projection. 1927 North American datum
 10,000-foot grid based on Idaho coordinate system, central zone
 1000-meter Universal Transverse Mercator grid ticks, zone 12, shown in blue

Fine red dashed lines indicate selected fence lines
 Where omitted, land lines have not been established

HOWE, IDAHO
 N4345—W11300/7.5

1969

AMS 3371 I SE—SERIES V893



QUADRANGLE LOCATION

8 9
17 16

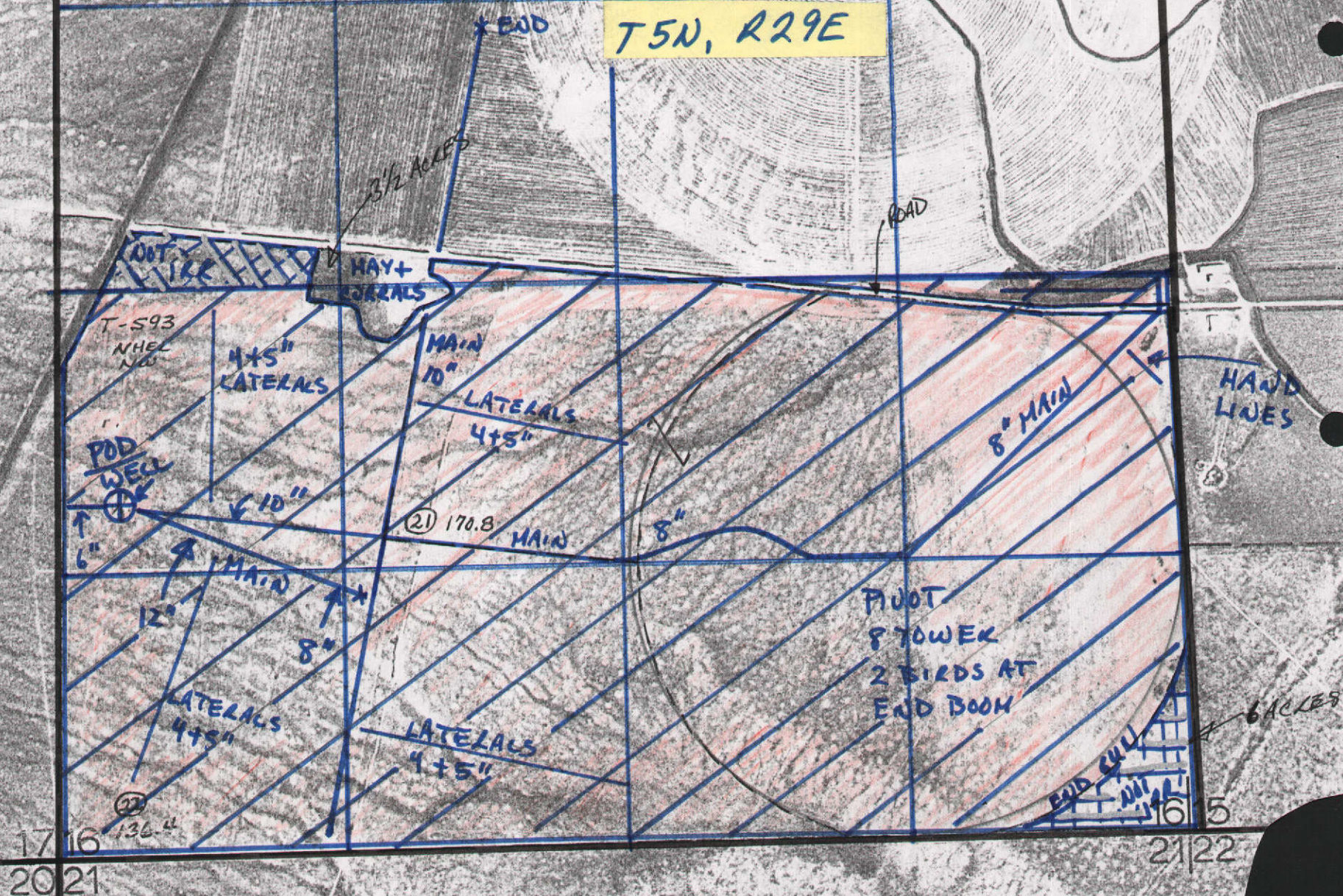
NAPP

T-17

9 10
16 15

R 29 E

T5N, R29E



33-07183

MAYS LAND + LIVESTOCK

IRRIGATION / DOMESTIC

1 of 3



POINT OF
DIVERSION
250 HP PUMP
WELL 16"



POINT OF
MEASUREMENT

PERMIT
NUMBER

33-07183

MAYS LAND + LIVESTOCK

IRRIGATION / DOMESTIC

2/3



VIEW IS LEFT
TO RIGHT

VIEW EAST
FROM NW 1/4
OF SW 516

SHOWS NON-
IRRIGATED
CORNER AND
OLD GRAVEL
PIT AREA (
HAY STACK +
CORALS).

5 1'96



VIEW SOUTH
WEST ALONG
HWY - NW 1/4
SW 516.

5 1'96

PERMIT
NUMBER

33-07183

MAYS LAND + LIVESTOCK

IRRIGATION / DOMESTIC

3/3



VIEW OF
PILOT +
WHEEL LINES.
IRRIGATED
ACREAGE.

5 1'96



VIEW OF
IRRIGATED
ACREAGE,
ALONG MAIN
LINE.

5 1'96

PERMIT
NUMBER

33-07183

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	33-07183	Marcus Callahan Bill Callhan	6.44
Full Assignment	33-07183	Mays Land & Livestock, Inc.	6.44

RECEIVED

JUN 29 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
APR 18 1994
Department of Water Resources

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. 33-07183 Telephone No. 208-767-3405
2. Name(s) of Permit Holder(s): MAYS LAND & LIVESTOCK, INC.
3. Post Office Address: P.O. Box 1 Howe, Idaho 83244
4. Source of Water: Groundwater - 33-93-E-007-001
- a. If ground water, well driller's name: Vollmer, KEN Date drilled: Finished Feb 94
- b. Pump horsepower: 1 Pressure (psi): Dynamic pumping level (ft.):

5. Extent of Use:

Domestic 1 (No. of households) Irrigation ✓320 (No. of acres)

Stockwater ✓ (No. and type of stock) Other

5000 Sheep

6. Total rate and/or volume for which proof is submitted 6.44 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: \$ 250.00 (See License Examination Fee Schedule)

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

James G. Mays 208-767-3405
Name Telephone No.

P.O. Box 1 Howe, Idaho 83244
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.

4/11/94 James G. Mays, President
Date Signature (and title if on behalf of a company or organization)

RECEIVED
State of Idaho
MAY 25 1993

Department of Water Resources

Department of Water Resources
ASSIGNMENT OF PERMIT

RECEIVED

MAY 24 1993

Department of Water Resources

CALLAHAN

I, BILL CALLAHAN & NANCY, hereby assign to MAYS LAND & LIVESTOCK, INC.

of P. O. Box 1, Howe, Idaho 83244

Address

All my right, title, and interest in and to Permit No. 33-07183
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. 33-7183 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 9 day of May, 19 93.

Bill Callahan

Permit Holder Bill Callahan

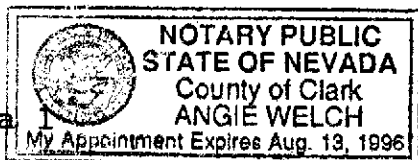
Nancy Callahan

Spouse of Permit Holder Nancy Callahan

State of ~~Idaho~~ NEVADA)

County of Clark) ss

On this 9 day of May, 1993, personally appeared before
me the signer(s) of the above instrument, who duly acknowledged to me that
he (she) (they) executed the same.



Angie Welch

Notary Public residing at

Sas Vegas Nevada

My commission expires:

August 13, 1996

MICROFILMED

JUN 29 1993

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

I, MARCUS CALLAHAN and, hereby assign to MAYS LAND & LIVESTOCK, INC.
of P. O. Box 1, Howe, Idaho 83244
Address

All my right, title, and interest in and to Permit No. 33-07183
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. 33-07183 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)

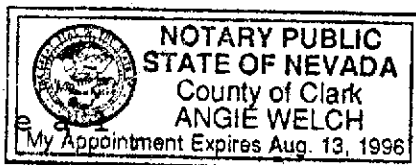
Made this 9 day of May, 1993.

Marcus Callahan
Permit Holder Marcus Callahan

N/A
Spouse of Permit Holder

State of ~~Idaho~~)
County of Clark) SS

On this 9 day of May, 1993, personally appeared before
me the signer(s) of the above instrument, who duly acknowledged to me that
he (she) (they) executed the same.



My commission expires:

August 13, 1996

Angie Welch
Notary Public residing at
Las Vegas Nevada

RECEIVED

JUN 29 1993

RECEIVED
MAY 25 1993

RECEIVED

APR 30 1993

Department of Water Resources

For Office Use Only
\$15 Fee Received by 15
Date 4-30-93
Receipt No. 0027369

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 33-07183

Name(s) of Permit Holder: BILL & NANCY CALLAHAN

Mailing Address: Box 2 Howe, ID 83244 OR 330 N 14th LV, NV 89101

Date Proof is Due 5-1-93 Telephone No. NONE AT FARM (702) LV 756 598-0864

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

THE WELL IS COMPLETED TO 450' DEEP, BEING CEMENTED NOW PLUS DOMESTIC & DEVELOPMENTAL PUMP GOING IN NOW.

THIS IS OUR RETIREMENT FARM Costing \$20,000⁰⁰

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

I WAITED 5 YRS TO GET THE PERMIT NOW YOU HAD DROUGHT & MY FATHER HAD QUADRUPLE BY-PASS. NEED LITTLE MORE TIME!

Permit holder(s) request an extension to May 1, 19 94.

FEE: \$15.00

(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to May 1, 1994.

Signed this 4th day May, 19 93

A. Glen Saylor
Chief, Water Allocation Bureau

JUN 29 1993

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 33-07183

Proposed Priority: April 17, 1987 Maximum Diversion Rate: 6.44 CFS
This is to certify, that **MARCUS CALLAHAN**

BILL CALLAHAN
330 N. 14TH ST.
LAS VEGAS, NV 89101

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	6.40 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	6.44 CFS

LOCATION OF POINT(S) OF DIVERSION: SWSW Sec. 16, Township 05N, 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>
05N	29E	16	NESW 40	NWSW 40	SWSW 40	
			SESW 40	NESE 40	NWSE 40	
			SWSE 40	SESE 40		320

Total number of acres irrigated: 320

PLACE OF USE: DOMESTIC, same as IRRIGATION use

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. A flow measurement port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. 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.

JUN 03 1991

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 33-07183

CONDITIONS/REMARKS:

7. 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.
8. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
9. 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.
10. Domestic use is for 1 home.

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

15 th day of May, 1991.

R. Keith Higginson
for
R. Keith Higginson, Director

JUN 03 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 Bill Callahan and Marcus Callahan Phone 529-2017
523-0953
Post office address 363 W. 13th Street, Idaho Falls, Idaho 83402
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is _____ ¼ of SW _____ ¼ of SW _____ ¼, Govt. Lot _____
Sec. 16 Township 5N Range 29E B.M. Butte County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
- Amount 6.4cfs for Irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.04cfs for Domestic purposes from 1/1 to 12/31 (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) 6.44 cfs and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. 3' ditches at ¼ mile points for
distribution, some left year round, some plowed in at harvest.
- 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 16 inches; proposed depth of well is 370 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
2 years (minimum 1 year).

JUN 03 1985

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

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

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	29E	16									40	40	40	40	40	40	40	40	320
												D							

Total number of acres to be irrigated 320

10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? Bill & Marcus Callahan - Calahan Farms

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

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

12. Remarks: _____

JUN 03 1991

[illegible]

See handwritten copy for signature
(Applicant)

Received by HWJ Date 4-17-87 Time 1:25 P Preliminary check by HWJ

Fee \$ 85.00 Received by HWJ # 41158 Date 4-17-87

Publication prepared by BLM Date 3-26-91 Published in Idaho Advertiser

Publication approved TJL Date 4-18-91

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:

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JUN 03 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 April 4, 1991

and ending with the issue dated

April 11, 1991

Colleen Babcock

STATE OF IDAHO

COUNTY OF BUTTE

On this 16 day of April

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**

33-07183

CALLAHAN, BILL
CALLAHAN, MARCUS
330 N. 14TH STREET
LAS VEGAS, NV 891010000
Source: GROUNDWATER

Diversión Pt: SWSW Sec 16 T 05N R
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Use: IRRIGATION (6.400 CFS)
DOMESTIC (.040 CFS)

Total Diversión: (6.440 CFS)

Date Filed: 4/17/1987

In: T05N R29E S16 NESW NWSW
SWSW SESW NESE SWSE SESE
320.0 ACRES TOTAL

OK

**NOTICE OF APPLICATION
FOR TRUST WATER RIGHT**

33-07191

ROSS, ROCKY
ROSS, CAROL
P.O. BOX 10
HOWE, ID 83244
Source: GROUNDWATER
Diversión Pt: NWNESW Sec 21 T 07N

R 28E

Use: IRRIGATION (1.340 CFS)

Total Diversión: (1.340 CFS)

Date Filed: 12/20/1989

In: T07N R28E S20 NENE SENE
S21 NWNW SWNW

67.0 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 inter-
est 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 22, 1991.

R. Keith Higginson, Director
Published 4/4/1991 & 4/11/1991

OK

JL
4-18-91

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APR 17 1991

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. _____

To appropriate the public waters of the State of Idaho

Bill Callahan and

1. Name of applicant Marcus Callahan Phone 523-0953

Post office address 363 W. 13th St, Idaho Falls, ID 83402

2. Source of water supply ground water which is a tributary of N/A

3. Location of point of diversion is SW 1/4 of SW 1/4 of SW 1/4, Govt. Lot _____

Sec. 16 Township 5N Range 29 E B.M. BUTTE County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 6.4 for irrigation purposes from April 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.04 for Domestic purposes from Jan. 1 to Dec. 31 (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) 6.44 and/or (b) 450
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 3' ditches at 1/4 mile points for
distribution, some left yr round, some plowed in at harvest.

b. Height of storage dam 4 to 5' feet; active reservoir capacity 1 1/2 to 2 acre-feet; total
reservoir capacity 2 acre-feet; period of year when water will be diverted to storage:
Feb to July inclusive.

c. Proposed well diameter is 16" inches; proposed depth of well is 370' 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
3-2 years (minimum 1 year).

RECEIVED

JUN 03 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. ONE
- 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	
5N	29E	16									40	40	40	40	40	40	40	40	320
											D								

Total number of acres to be irrigated 320

10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? BILL & Marcus Callahan - Callahan Farms

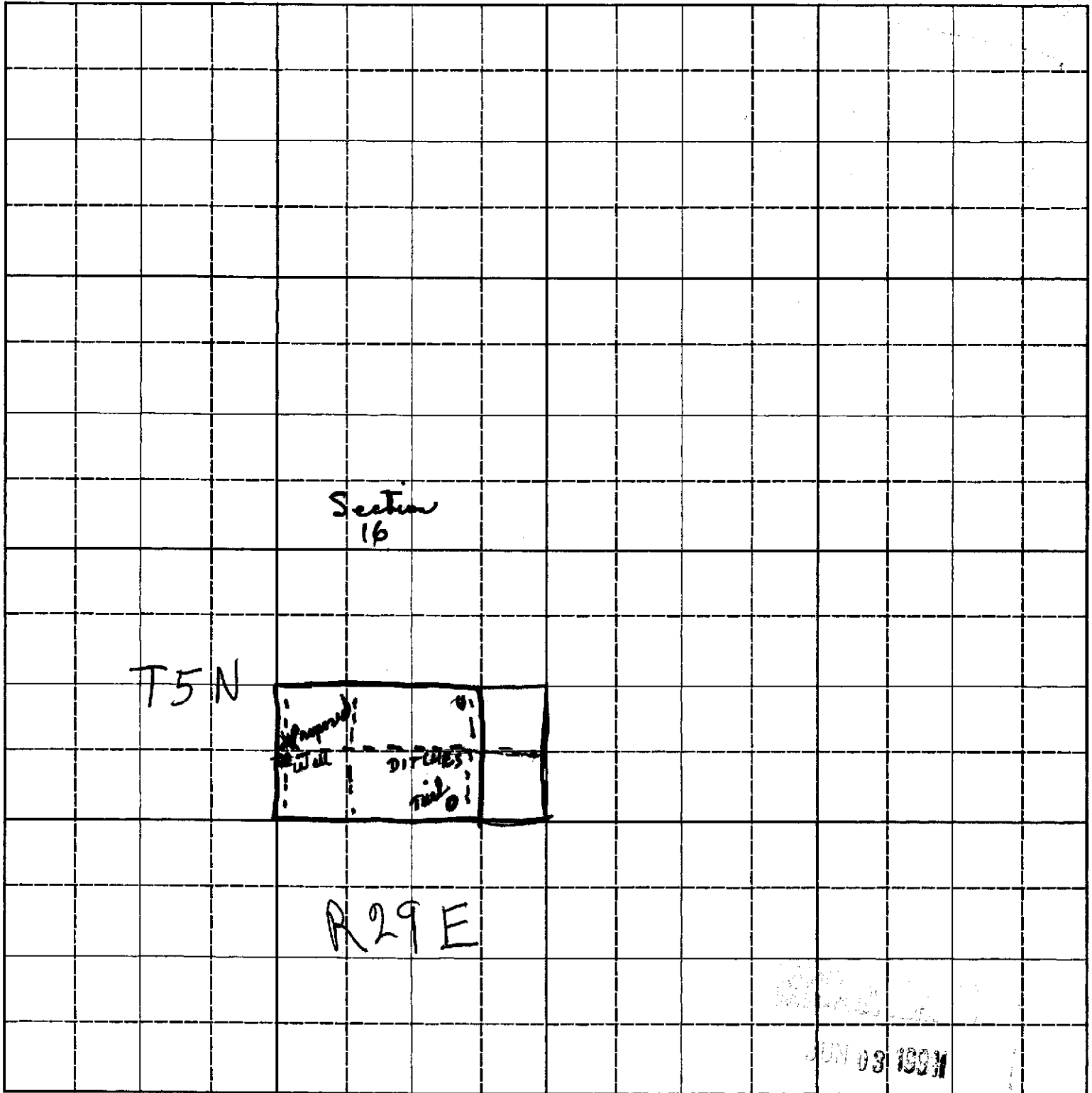
b. Who owns the land to be irrigated or place of use? Same

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

12. Remarks: _____

JUN 03 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.

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.

Bill Callahan, Marv Callahan
(Applicant)
DBA - CALLAHAN FARMS

Received by HWS Date 4-17-87 Time 1:25pm Preliminary check by HWS
Fee \$ 165.00 Received by HWS # 41158 Date 4-17-1987
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

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
JUN 03 1991

To: Sharla Curtis
Fr: Bryce Contor
Date: 12/22/1999



RECEIVED

DEC 27 1999

Department of Water Resources

Re: 33-07183

At one time the claimant talked about filing a claim to enjoin this permit to the adjudication. Because he never did return a signed claim form or fees, we did not ask you to push this through the licensing process.

Since there was never a claim signed, we do not need the information we had in the file. I'm forwarding this to you; keep what you might need and recycle the rest.

To: File A33-07183
Fr: Bryce A. Contor
Date: 9/7/1999

Re: AJ Recommendations

James Mays had requested Al Ruberry to enjoin this permit to the adjudication. However license will not be issued prior to directors report. Per Ernie this means enjoining will give Mr. Mays no advantage because decree will simply point to future license. I prepared claim for Mr. Mays & left message regarding Ernie's opinion.

R-record is prepared and left on temp host in case claim is filed.

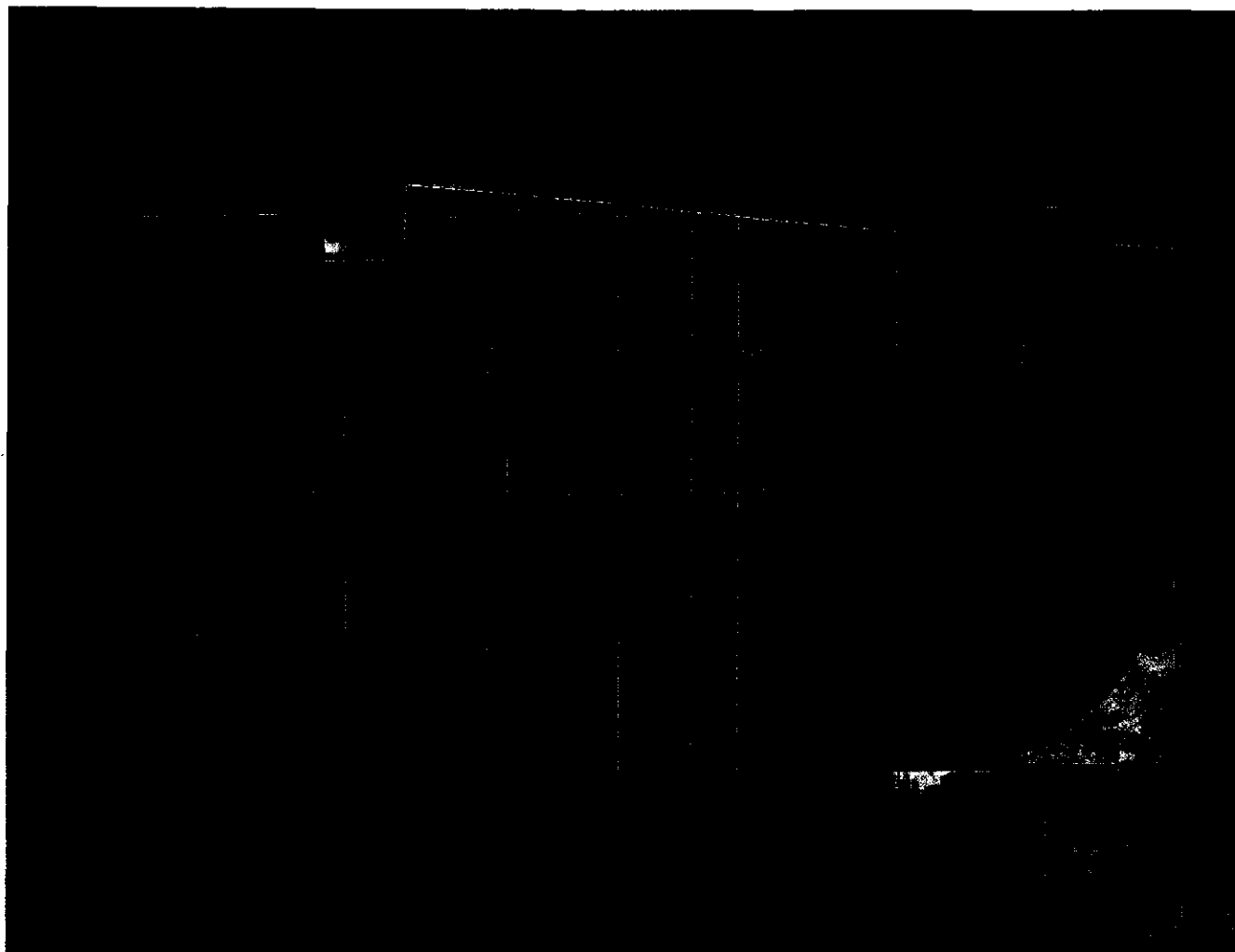
R record is prepared per Don Simpkins licensing recommendations except per Al Ruberry one acre removed from POU NWSE of section 16 to allow for road.

12/22/99 "A" record & "R" still on
Temp host - Ernie will delete -
Signed claim never received -

Idaho Department of Water Resources

Mays Land And Livestock

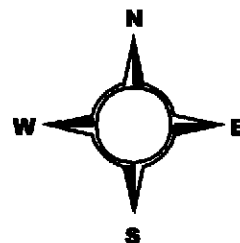
Permit 33-07183



0 1320 Feet



Township 5 North Range 29 East
Section 16



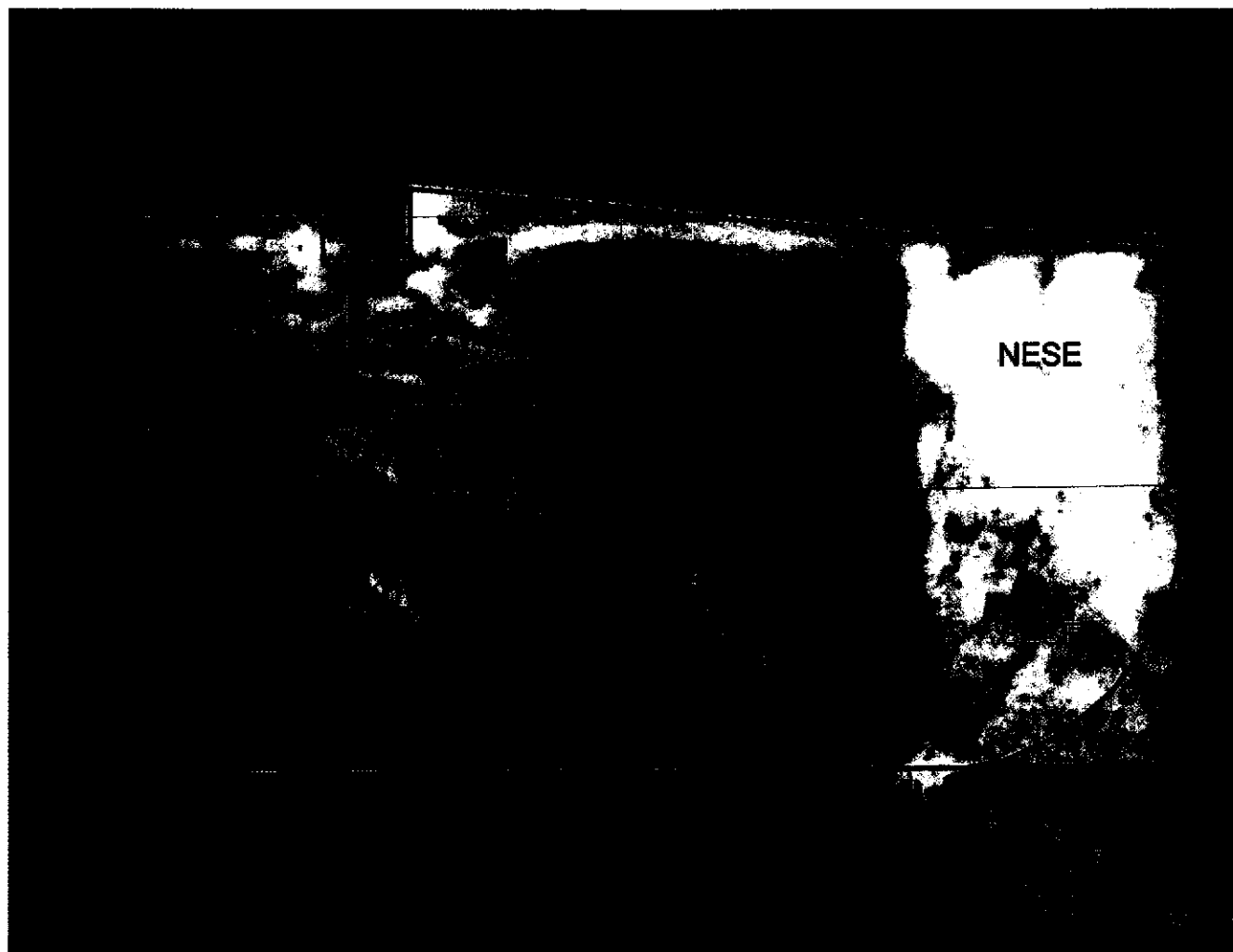
- Well
- Place of Use
- Section Lines
- Quarter-Quarter Lines

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by Bryce A. Contor
August, 1999

Idaho Department of Water Resources

Mays Land And Livestock

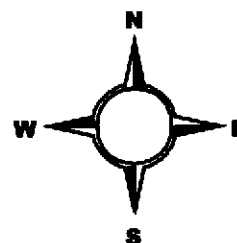
Permit 33-07183



0 1320 Feet



Township 5 North Range 29 East
Section 16



- Well
- Place of Use
- Section Lines
- Quarter-Quarter Lines

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by Bryce A. Contor
August, 1999

Keen, Shelley

From: Contor, Bryce
Sent: Tuesday, September 07, 1999 10:04 AM
To: Keen, Shelley
Subject: pERMIT 33-07183

To File 

Field examiner's report lists POU for domestic as 5N 29E 16 NESE. Actually house was located right by well, 5N 29E 16 SWNWSW. House was present when Dennis Dunn inspected well but had been removed by the time Don Simpkins did the field exam.

FYI owner had requested this permit be enjoined to AJ. We prepared a claim but it has not been submitted yet, may not be? If it is we'll recommend per field exam unless you think we should do otherwise.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
FEB 16 1999

A. GENERAL INFORMATION

Permit No. 33-0783 Department of Water Resources

1. Owner: MAYS LAND & LIVESTOCK Phone No. (208) 767-3405

Current Address: P.O. Box 1, HOWE, ID 83844

2. Accompanied by: JAMES MAYS EXAM DATE: 5/1/96

Address: P.O. Box 14, HOWE Phone No. (208) 767-3405

Relationship to Permit Holder: _____

3. Source: GROUNDWATER tributary to N/A

B. OVERLAP REVIEW

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

2. Other water rights with the same point of diversion: NONE

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
		SW	NW	SW	16	5N	29E	BUTTE	U.S.G.S. TOPO + ORTHO MAPS

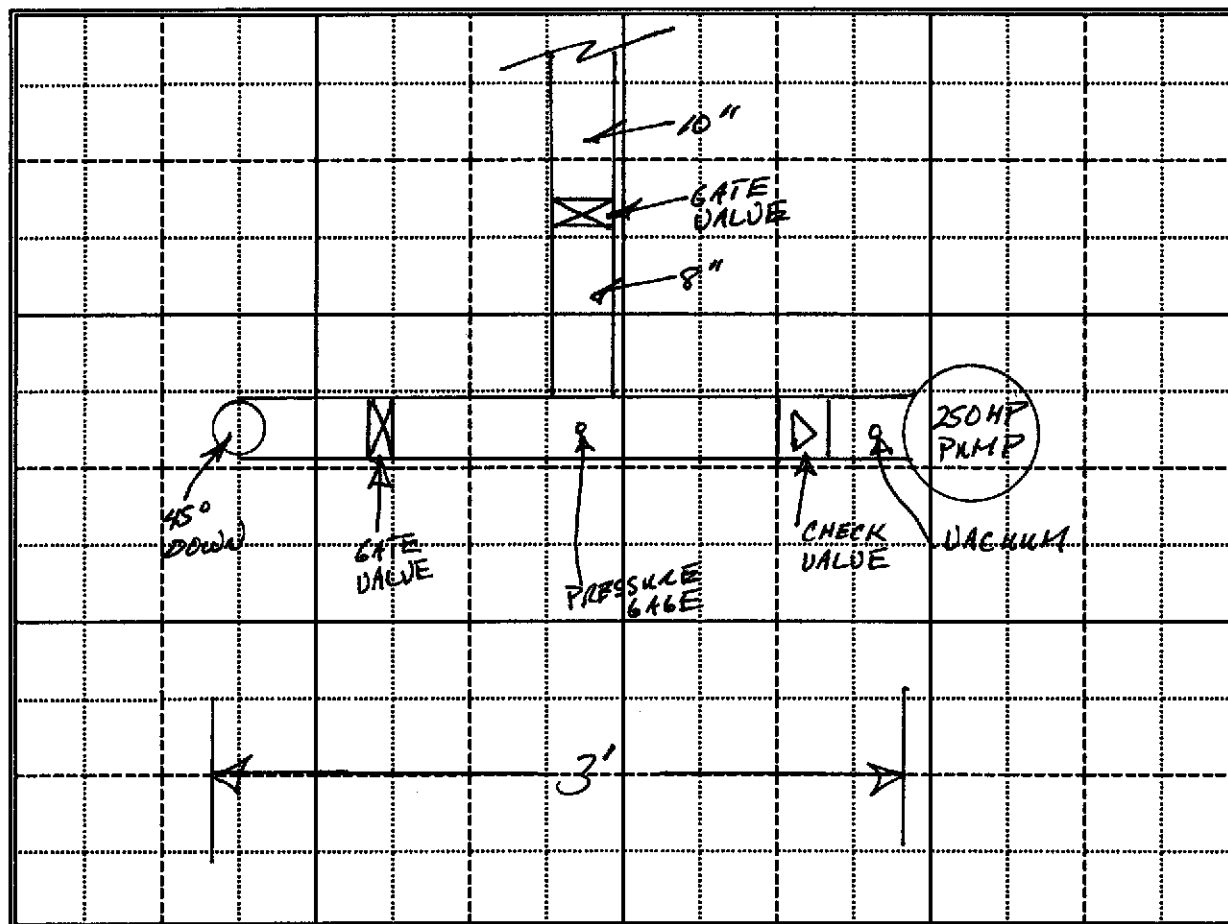
2. Place(s) of Use:

Indicate Method of Determination ON SITE INSPECTION

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	29E	16								2	38	38	40	40	39	40	40	34	311

6/3/96
215 1111

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
	GEN. ELECT	250	COLOR GRAY/ORANGE		8"

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
PRESSURE GAGE	RAIN BIRD				0-160	52 PSI

2. Measurements: SEE SONIC TAPE

TYPE - FLYTE PLYSONIC METER # 710263

To 33-07183

Date _____ Time _____ ☐ AM ☐ PM

WHILE YOU WERE OUT

M _____

of _____

Phone Numbers

Office _____

Voicemail _____

FAX _____

Pager _____

Mobile _____

e-mail _____

☐ Telephoned

☐ Please call

☐ Returned your call

☐ Called to see you

☐ Wants to see you

☐ Will call again

☐ URGENT

Message

*Cindy: There was a house at location
but it has been removed. I did use
water from the well. I did a well
inspection on this well in 88 and the
house was using water at that time -
you could go either way with this permit.*



AMPAD
EFFICIENCY®

Operator

Reorder
#23-000

Dennis

33-07183

MODE SELECT
DATA SET

DATA SET MODE
? PRINTER

PRINTER USE
? YES

MODE SELECT
INPUT

OUTER DIAMETER
10.2098 IN

PIPE MATERIAL
? PVC

WALL THICKNESS
0.2610 IN

INNER LINING
? NO LING.

KIND OF FLUID
? ANOTHER

SOUND VELOCITY
1460 M/S-

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
7.464 IN U

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

05-01 16:2300 *H
+003.00 % AI2

MODE SELECT
T0 CHECK

0366.7 MMSEC
100.20 % T0

0366.7 MMSEC
100.19 % T0

05-01 16:2500 *R
+ 1.561E 3GPM

05-01 16:3300 *R
+ 1.618E 3GPM

3.61 CFS

James Maye
33-07183

33-07183

33-07183
Gene Leaking Page

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

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

$$Hp = \text{Horsepower} = \underline{250}$$

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

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

$$\text{Static Water Level} = \underline{215} \text{ ft.}$$

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

$$\text{Lift} = \underline{225}$$

OR

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

$$psi = \text{Operating Pressure} = \underline{52} \text{ psi}$$

$$Q_{cfs} = \left[\frac{250}{Hp} \times 8.814 \times \frac{.7}{Eff} \right] \div \left[\frac{225}{Lift} + \left(\frac{52}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\underline{1542.45} \right] \div \left[\underline{345.016} \right]$$

$$Q_{cfs} = \underline{4,470} \text{ cfs}$$

33-07183



~~PLACE ON WSE~~

33-07183

Primary highway, hard surface _____ Light-duty road, hard or improved surface _____
Secondary highway, hard surface _____ Unimproved road _____

 Interstate Route  U. S. Route  State Route

Fine red dashed lines indicate selected fence lines
Where omitted, land lines have not been established

AMS 3371 I SE--SERIES V893



89
1716

NAPP

T 17

910

R 29 E

T5N, R29E

593
NASC

815
KATELAS

MAID
D
LATEAL
415

(21) 170.8

HALS

8° MAIN

PILOT
TOWER
SIBBS AT
BOOK

2021

2122

33-07183

MAYS LAND + LIVESTOCK

IRRIGATION / DOMESTIC

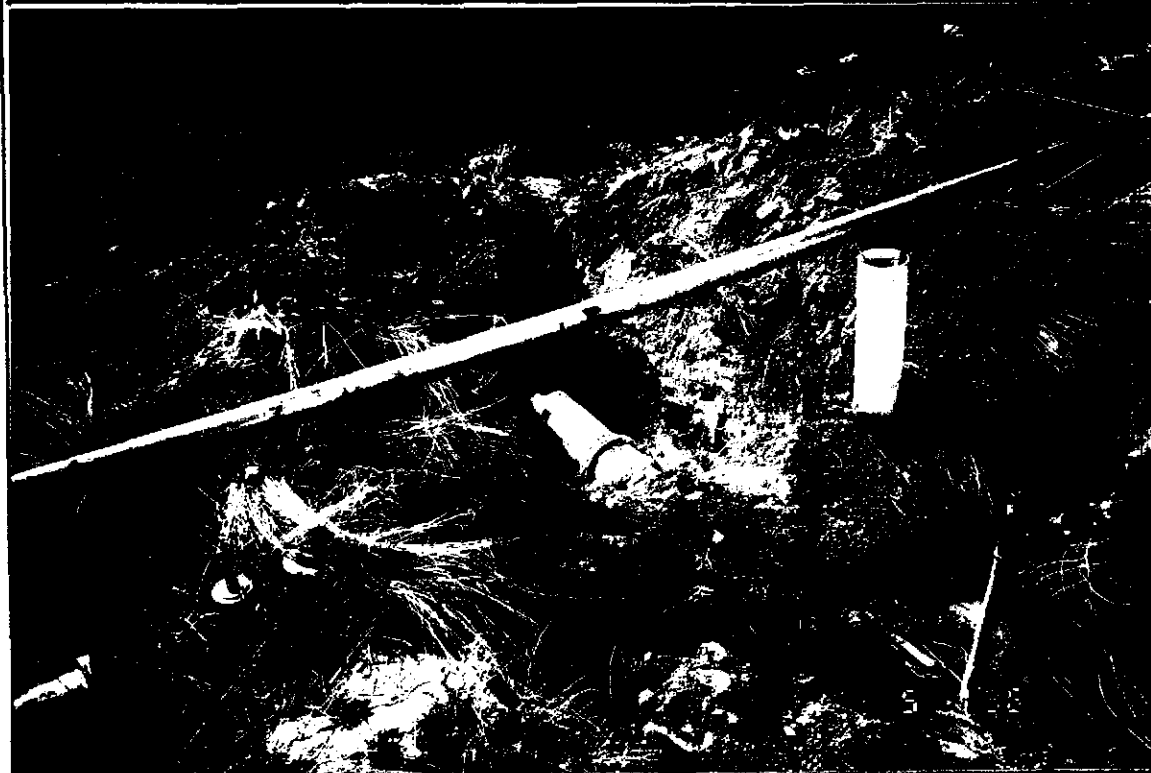
1 of 3



POINT OF
DIVERSION

250 HP PUMP

WELL 16"



POINT OF
MEASUREMENT

PERMIT
NUMBER

33-07183

MAYS LAND + LIVESTOCK

IRRIGATION / DOMESTIC

2/3

VIEW IS LEFT
TO RIGHT

VIEW EAST
FROM NW 1/4
OF SW 516

SHOWS NOW-
IRRIGATED
CORNER AND
OLD GRAVEL
PIT AREA (
HAY STACK +
CORRALS).

VIEW SOUTH
WEST ALONG
HWY - NW 1/4
SW 516.

PERMIT
NUMBER

33-07183

MAYS LAND + LIVESTOCK

IRRIGATION / DOMESTIC

3-13



VIEW OF
PILOT +
WHEEL LINES.
IRRIGATED
ACREAGE.



VIEW OF
IRRIGATED
ACREAGE,
ALONG MAIN
LINE.

PERMIT
NUMBER

33-07183

E. NARRATIVE/REMARKS/COMMENTS

THIS PERMIT IS FOR IRRIGATION OF 311 ACRES FROM A 16" DIAMETER WELL. A 250 HP PUMP LIFTS WATER APPROXIMATELY 225' TO SEVERAL MAIN LINES WHICH SUPPLY WATER TO A CIRCLE PIVOT (8 TOWER WITH END BOOM THAT HAS TO RAIN BIRDS, NOT A "END GUN"); WATER IS ALSO SUPPLIED VIA SEVERAL RISEL POINTS TO LATERALS: 10 WHEEL LINES ~~OR/AND~~ 5/8 HAND. 5/8 WHEEL LINES CAN BE USED IN CONJUNCTION WITH PIVOT. RAIN BIRD OFFICE IS 11/64 WITH 32 BIRDS PER LINE; PIVOT IS LOW PRESSURE SYSTEM.

BASICALLY THE PLACE OF USE IS DOWN GRADIENT FROM POINT OF DIVERSION.

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

F. FLOW CALCULATIONS☒ Additional Computation Sheets Attached

Measured Method:

POLY SONIC METER = $Q = 3.61 \text{ CFS}$ THEORETICAL $Q = 4.47 \text{ CFS}$

LIFT IS MOST LIKELY GREATER THAN 225'

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 311 \times 3.5 = 1088.5 \text{ AF}$ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 3.61 \text{ CFS} \times 183 \times 1.9835 = 1310.35 \text{ AF}$ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 1,088.5 \text{ AF}$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS SYSTEM LIMITS TO 3.61 CFS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
* DOMESTIC	7/1	12/31	0.04 CFS	1.2 AFA
IRRIGATION	4/15	10/15	3.61	1,088.5
				1,088.5 AF
Totals:			3.61 CFS	1,089.7 AFA

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☒ OtherSEE NOTE ABOUT *
DOMESTIC**I. AUTHENTICATION**Field Examiner's Name SIMPKINS Date 1/6/97Reviewer Gandy Zimmerman Date 4/29/97

SEAL

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.

[illegible]

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 33-7183

Reviewed by Jy

Date 5-2-94

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

Dom. Stock Jcr.
Correct Uses? no

SOURCE OF WATER

Surface water source
✓ Ground water source

yes Drilling permit required?
no Copy in the file? Drilling Permit No 33-93-E-0007-00
200.00 Amount paid for permit yes Correct?
no Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
250.00 Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
no Installed?
no Waiver requested?

PRIORITY CALCULATION

Date proof received			
Date proof due		-	
No. of days late		=	
Priority Date		+	
New Priority Date			

DEFICIENCIES OR ACTION ITEMS

need info. on drilling permit.

advise perm. holder a flow port is required
before exam is made.

5/9 - Proof acceptable

DATA ENTRY

New Address _____

Proof Made 4-18-94

May 10, 1994

MAYS LAND AND LIVESTOCK INC
P O BOX 1
HOWE ID 83244

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 33-07183

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.

Please be advised that one of the conditions of your water right permit requires that the permit holder install a flow measurement port. This condition must be complied with before the license exam, or you can request, in writing, a waiver of the condition.

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

JUN 09 1994

February 28, 1994

MAYS LAND & LIVESTOCK INC
PO BOX 1
HOWE ID 832440001

PROOF DUE NOTICE

RE: PERMIT NO. 33-07183

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before May 1, 1994.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

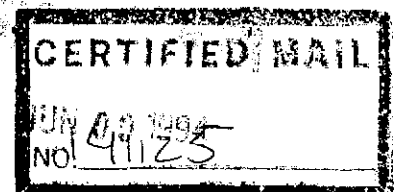
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures



JUN 03 1994



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

June 8, 1993

MAYS LAND & LIVESTOCK INC
PO BOX 1
HOWE ID 83244

Re: Permit No. 33-07183

Dear Permit Holder(s):

We acknowledge receipt of the correspondence assigning the 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 black ink, appearing to be 'Jim Johnson', written over the printed name and title.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

RECEIVED

JUN 29 1993

WR0749NP
No. 33-07183

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 06/02/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MAYS LAND & LIVESTOCK INC PO BOX 1 HOWE ID 832440001	04/17/1987	IRRIGATION DOMESTIC	04-01 11-01 01-01 12-31	6.40 CFS 0.04 CFS	
TOTAL DIVERSION:					6.44 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T05N R29E S16 SW SW

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE																
			NENE		NWNE		SWNE		SENE		: NENW		NWNW		SWNW		SENW		: NESW		NWSW		SWSW		SESW		: NESE		NWSE		SWSE		SESE		:	
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	Lt	Ac	:	SUM
05N	29E	16	:									:									:	40	40	40	40	:	40		40	40	40	40	:	320.0		
																													TOTAL ACRES		320.0					

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

Pou County: BUTTE

Conditions of Approval:

- 26A - 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.
- 01C - A flow measurement port or other device as specified by the Department shall be installed by the right holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- 051 - Any license issued by IDWR pursuant to the right 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.
- 052 - 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.
- 053 - The Director retains jurisdiction of this right and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
- 03A - The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Remarks: Domestic use is for 1 home.



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 4, 1993

Bill and Nancy Callahan
330 N 14th E
Las Vegas, NV 89101

Re: Permit No. 33-07183

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to May 1, 1994. Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed since the department will not be able to grant additional extensions based on due diligence.

If you have any questions or if I can be of any further assistance, please feel free to contact this office.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosure

C: IDWR-Regional Office

JUN 29 1993

ANALYSIS SHEET
FOR
EXTENSION OF TIME

Permit No. 33-07183 Reviewed by Klg Date 5/3/93

BASIC INFORMATION

4/30/93 Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
no Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?
Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? Requested?
Is delay by a government agency?
Is supporting documentation needed to complete the file? Requested?
Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

*Recommend for approval Based on due diligence
Extend to May 1, 1994*

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address _____
Change Proof Due Date 5/4/93 Klg
Change Priority Date _____

February 28, 1993

MARCUS CALLAHAN
BILL CALLAHAN
330 N. 14TH ST.
LAS VEGAS NV 89101

PROOF DUE NOTICE

RE: PERMIT NO. 33-07183

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before May 1, 1993.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

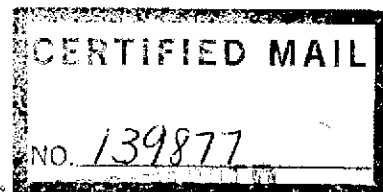
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



JUN 29 1993

6 1993



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 20, 1991

MARCUS CALLAHAN
BILL CALLAHAN
330 N. 14TH ST.
LAS VEGAS, NV 89101

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 33-07183

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.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of measuring device options.

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

SUN 03 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

APR 68 1901

APPLICATION FOR PERMIT REVIEW

Application #: 33-7183
Date: 5-6-91

Reviewer: Pam Skaggs

Existing:

✓ No - 26A-P17
Complete in 1 year - P16

Yes

Proof not submitted - P16
Proof submitted - N/A

Groundwater:

✓ GT. 0.7 cfs - 01G-P03, 01C-P03 (existing well)
LT. 0.7 cfs - N/A

Drilling Permit:

Approved w/permit - P99
✓ Not included - 046-P23 (All GW, even existing wells)

Location:

✓ Water Districts - WD No. 33
Surface water - 005, 005-01H-P01 (LT.7 w/pump)
005-01J-P08 (GT.7)
✓ Groundwater *existing* - P05
Irrigation Districts - 023
Canal Co. Areas - 023
Drainage Districts - 024
Boise Front (63) - 058 (Groundwater)
✓ Swan Falls Flag - 7 (1, Blank or Other)
✓ Trust - 051-052-053-P74 (Cons.), 041 (DCMI, w/Irr
Non Trust - 048-049 or Irr & Dom)

River Basins:

(Surface Water) Water District Control Condition &....
Boise (63) - 05A & 11E
Payette (65) - 047-P04, 059-P71
Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

Use:

Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),
042(req.), 002-P06(MD), 07A(Spec.),
044(Policy 5G)
Power - Use Power Review
Mining - 06A or 010, 09E-P10 & 054(req.)
Storage - 18A-for multiple measuring devices(In WD),
18B-P09(Size)
Rec. & Aesthetic - 027(Non-Consumptive)
Domestic - 021(restricted areas)

Ownership:

Non land owner - 004

Protested:

Agreement - 020

Minimum Stream Flow:

Overlapping uses - 029-P20

Beneficial Use Due Date:

Other Conditions Recommended 05-03-1993
Final Review 4,5,3 Data

JUN 03 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.

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

MARCH 26, 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 22, 1991.

Yours truly,

BRENDA L. MILLER
Clerical Specialist

Encl.

RECEIVED

JUN 03 1991

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

33-07183

CALLAHAN, BILL
CALLAHAN, MAPCUS
330 N. 14TH STREET
LAS VEGAS, NV 891010000

Source: GROUNDWATER

Diversion Pt: SWSW Sec 16 T 05N R 29E

Use: IRRIGATION (6.400 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (6.440 CFS)

Date Filed: 4/17/ 1987

In: T05N R29E S16	NESW	NWSW	SWSW	SESW
	NESE	NWSE	SWSE	SESE

320.0 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 22, 1991.

R. Keith Higginson, Director

Published 4/ 4/1991 & 4/11/1991

JUN 03 1991

MEMORANDUM

TO: FILE

FROM: TIM LUKE

RE: APP. NO. 33-7183/Trust Water Processing & RULE 4,5. INFO

DATE: 3-21-91

The above application has come up for sequential trust water processing. Based on review of the returned questionnaire and the application, there has been no prior development under this filing and there are no other existing right appurtenant to the land. All 320 acres represent new development and will be counted as trust acreage.

The applicant has also submitted the additional information required by Water Appropriation Rule 4,5,3. I have reviewed the information and find it acceptable and in compliance with the intent of the rules. The application may be advertised and processed further.

JUN 03 1991

March 11, 1991

State of Idaho
Department of Water Resources
1301 North Orchard Street, Statehouse Mall
Boise, Idaho 83720

RECEIVED
MAR 20 1991

Department of Water Resources

Mr. Tim Luke,

As we stated previously, the original letter from you and accompanying information on Water Appropriation Rule 4,5,3. did not reach us until February 1991. However, we enclose herein our response regarding Application for Permit No. 33-7183

Rule 4,5,3,1.

The point of diversion is 1+ miles from any ditch and no other users exist. The irrigation district has a supply ditch at the lower end of the property 1+ miles away which crosses the extreme NE corner of our property.

There are no existing wells within miles of our well.

We plan storage of $1\frac{1}{2}$ - 2 acre feet near the well site and a main ditch conductor to distribute at the $\frac{1}{4}$ mile with a fall of approximately $10'\frac{1}{4}$ mile using gravity, portable ditch gates, and syphoning plus straight pipes to release the water into our field rows and checks.

We plan to utilize some of the "surge-flo" irrigation techniques developed at the University of Utah for row crops and check borders wherein they achieved the same efficiency as sprinklers by releasing minor surges to push more rapidly along rows and checks. All usage is to be planned on a 24 hr. basis with essentially no effect or impact on other water rights.

Rule 4,5,3,2.

We plan average water demands beginning with small grains and legumes on our upper Panchari light lava ash soil to be between 500 gpm to 1800 gpm depending on the conditions and plan some small acreage of truck crops and swine production plus domestic use for house.

With 4 six-hour sets per day consuming 1.6 cfs we plan total water diversion in excess of 450 acre feet per year.

Our well is 450' and the water level in the aquifer is at 265' with estimated yield of 1800 gpm. The nearest known well is in the city of Howe 2 miles away and adequate.

RECEIVED
JUN 03 1991

JUN 03 1991

Application for Permit #33-7183

The aquifer is shallow and unconfined, and the Challis National Forest Reserve begins to the west of our property plus DOE and BLM almost surrounds us with no wells or points of diversion due to the I.N.E.L. site reservation.

The driller of our well drilled several for I.N.E.L. and knows the area and aquifer. No other farms or users will be effected by our diversion of water or land use operation.

Rule 4,5,3,3.

No other known permits or approvals are required by any government agency. If the State of Idaho or FmHA or USDA need data on this project it is unknown at this time, but certainly will be furnished if required.

Rule 4,5,3,4.

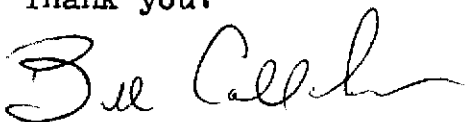
See separate data provided herein.

Rule 4,5,3,5.

No local individuals, governments, tribal reservations, the State Fish and Game Department, irrigation districts, or the Health and Welfare Department will be impacted by our project.

We believe our project to be economically sound, environmentally safe, and generally beneficial to us and our neighbors as well as adding value to the Great State of Idaho, and will do our utmost to use these resources prudently. We consider clean water and clean air precious and plan to enjoy regenerative fertility practices wherever possible in crop rotations and management. We would appreciate your cooperation pursuant to issuing our water rights.

Thank you!



BILL & NANCY CALLAHAN

FINANCIAL STATEMENT

MARCH 14, 1991

CURRENT ASSETS

CASH & ACCOUNTS RECEIVABLE (30 days)	\$ 11,737.00
PAID UP LIFE INSURANCE - NANCY \$12,500	12,500.00
BILL 30,000	1,050.00
PREPAID TAXES REFUNDABLE 1990	1,617.00
PREPAID INSURANCE	1,252.00
COLLECTIBLES & OTHER LIQUID ASSETS EST.	8,500.00
CURRENT ASSETS TOTAL	<u>36,656.00</u>

OTHER ASSETS

STONERIDGE PROPERTY (LISTED)	79,500.00
350 ADAMS RENTAL PROPERTY	13,500.00
320 Ac. (costs plus well & improvements)	87,330.00
2½ Ac. NV BUILDING PROPERTY	18,500.00
330,1400,1400½ PROPERTY	125,000.00
OTHER RECEIVABLES (over 30 days)	48,050.00
PERSONAL, TOOLS, AUTO & EQUIPMENT EST.	36,110.00
TOTAL ASSETS	<u>\$444,646.00</u> <u>\$444,646.00</u>

LIABILITIES

WESTMARK MORTGAGE	\$ 36,750.00
MH ESTATES MORTGAGE	7,500.00
LAWYERS TITLE MORTGAGE	1,800.00
IDAHO MORTGAGE	25,920.00
LAND TITLE MORTGAGE	60,621.00
FELCO LEASING	5,140.00
SEARS & OTHER TRADE ACCOUNTS	7,118.00
TOTAL LIABILITIES	<u>\$144,849.00</u> <u>\$144,849.00</u>

NET WORTH \$299,797.00

TOTAL LIABILITIES & NET WORTH \$444,646.00

We hereby certify the statements contained herein to be the accurate, prudent effort to indicate our true and rightful financial condition as of March 14, 1991.

Bill E. Callahan
BILL E. CALLAHAN

DATE 3/14/91

Nancy A. Callahan
NANCY A. CALLAHAN

DATE 3-14-91

03 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 20, 1991

Re: Application for Permit No. 33-7183

Notice of Information Required by Water Appropriation Rule 4,5,3.

Dear Applicant:

The Department acknowledges receipt of the Trust Water Information Questionnaire for the above referenced application. On behalf of the Department, I wish to thank you for your cooperation in returning the questionnaire.

In the letter that accompanied the questionnaire, I informed you that you would need to submit additional information required by Water Appropriation Rule 4,5,3. if the undeveloped portion of the application exceeds 200 acres, or if the rate of diversion is more than 5.0 cfs. The returned questionnaire indicates that you wish to pursue completion of the irrigation project as proposed under your application. The project proposes diversion of more than 5.0 cfs of groundwater and includes more than 200 acres. The filing therefore is subject to the additional information requirements of Rule 4,5,3. In particular, you must submit the information outlined in Rules 4,5,3,1. through 4,5,3,5 (copy attached). A guideline for assisting you with submittal of the additional information is also enclosed.

The information must be submitted within 30 days of the date of this notice. Failure to submit the required information within the time period allowed may be cause for the Department to void the application. The Department may grant an extension of time in which to submit the information upon request and a showing of good cause. Requests for extension of time must be in writing. Please contact me at this office or call me directly at 327-7864 if you have any questions concerning the contents of this notice and/or the information requested under Rule 4,5.

Sincerely,

Tim Luke

Sr. Water Resource Spec.

JUN 03 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

RECEIVED
FEB 19 1991

Department of Water Resources

Application No. 33-7183

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.

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 No X

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.)

3. If you answered NO to ques #2a, please state the number of acres you have irrigated with this source after October 1, 1984. - 0 -

4. If you have not irrigated lands under this application, please state the number of acres you plan to complete. 320

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

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 Bill Callahan

Date 2/16/91

PLEASE TURN PAGE OVER!

JUN 03 1991

FEB 16, 1991

DEAR MR. LUKS,

THIS IS TO ACKNOWLEDGE RECEIPT OF YOUR LETTER OF FEB 11 REGARDING OUR APPLICATION DATED 4/17/87. WE DID NOT RECEIVE ANY OTHER NOTICE FROM YOU PRIOR TO THIS DATE AS YOU STATED.

WE DO CHOOSE TO PURSUE OUR WATER RIGHTS AND HAVE COMPLETED YOUR QUESTIONNAIRE AND RETURN HERewith.

WE WERE TOLD IN 1987 TO "GET READY," THEN WAIT UNTIL WE HEARD FROM YOUR DEPARTMENT. WE HAD OUR WELL DRILLED IN 1988. AND IT WAS "RED-TAGGED" BY YOUR DEPARTMENT UNTIL THE ADJUDICATION. THE WELL IS SITUATED IN SW $\frac{1}{4}$ OF NW $\frac{1}{4}$ OF S $\frac{1}{2}$ OF SECTION 2 BELIEVE. WE UNDERSTOOD FROM MR. HIGGINSON THAT WE COULD NOT PUMP THE WATER YET SO HAVE BEEN ANXIOUSLY WAITING TO HEAR FROM YOU.

DUE TO THE ECONOMIC HARDSHIP OF BEING UNABLE TO PUMP & THE DROUGHT WE HAVE TEMPORARILY REDUCED BUT STILL OWN 3 PROPERTIES IN I.F. AREA. WITH A PERMIT TO PUMP AND IRRIGATE WE WILL BE PURSUING FARMING THIS VERY SPRING OR AS SOON AS WE'RE ALLOWED.

THANK YOU AND THE DEPARTMENT FOR YOUR HELP IN THIS MATTER.

SINCERELY

Bill & Nancy Callahan
Callahan Farm

40 330 N 14th St
LAS VEGAS, NV 89101

RECEIVED
JUN 03 1991

[illegible]

JUN 03 1991

INTER-DEPARTMENT MEMO — 1

FROM

J. J.

DATE

1/24/91

TO

File # 33-7183

SUBJECT

Per telecon w/ annex's office, 1/24/91, the
current address is:

330 N. 14th St.

Las Vegas, Nevada

89101

resent

INDEXED

JUN 03 1991

Jennifer Siefert
SIGNATURE



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

February 11
January 16, 1991

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Bill and Marcus Callahan
363 W. 13th St.
Idaho Falls, ID 83402

RE: Application for Permit No. 33-7183

Dear Applicant(s):

NOTICE OF PENDING ORDER VOIDING APPLICATION

On April 17, 1987 you filed with the Department of Water Resources (Department) Application for Permit No. 33-7183 which proposed the diversion of 6.44 cubic feet per second of groundwater for domestic purposes and the irrigation of 320 acres.

The Department mailed a letter and questionnaire to you on December 10, 1990. The letter requested that you return the Department's questionnaire concerning your present possessory interest in the place of use, any prior development under the application and/or your plans for pursuing completion of the proposed project. The letter notified you that failure to complete and return the questionnaire within thirty (30) days of the date of the letter was cause for the Department to void the application.

The purpose of this notice is to provide a second and final opportunity for you to submit the requested information. Pursuant to Section 42-204, Idaho Code, the Department may void applications for which requested information is not submitted. If you fail to respond to this inquiry within fifteen (15) days of the date of this letter, the Department will issue an order voiding the application pursuant to Section 42-204, Idaho Code.

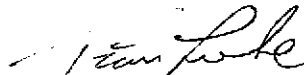
If no development has been completed as authorized by the application, and you are no longer interested in pursuing the development, please complete and return the enclosed withdrawal form. Please note, if you are using water without an approved permit, the Department may issue an order requiring you to cease diverting the water.

RECORDED

JUN 03 1991

Please feel free to contact me if you have questions concerning this matter.

Sincerely,



TIM LUKE
Sr. Water Resource Agent

Enclosure
cc: Region

ENCLOSURE

JUN 03 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

December 10, 1990

RE: APPLICATION FOR PERMIT NO. 33-7183

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, 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.

RECEIVED

JUN 03 1991

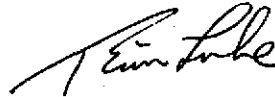
Page 2

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 Agent

Enclosures

MAIL ROOM

JUN 03 1991

August 9, 1989

Bill Callahan
363 W. 13th St.
Idaho Falls, ID 83402

Dear Mr. Callahan:

I received your letter of inquiry about Application for Permit #33-7183. This is a Trust Water hold file application. We process only 20,000 acres per year statewide within the declared impact area acknowledged by the State of Idaho and Idaho Power as per signed agreement. Applications are processed by priority date. Your priority date (proposed) is 4-17-1987. It will be several years before we will get through our imposed backlog to the 1987 applications. The well should not be in use until that time when an approved permit is issued.

I hope the above explains the existing status of your application. If you have additional questions then please give me a call.

Sincerely,

Harold W. Jones
Water Resource Supervisor

HWJ:lk
Enclosure

RECEIVED

JUN 03 1991

August 5, 1989

Department of Water Resources
150 Shoup Ave.
Idaho Falls, ID 83401

529-2612

Dear Sir:

Enclosed is a copy of our application for permit that was filed in April 1987. We wish to begin pumping soon and have completed our well to 450'. We are awaiting your response before we can move to the farm and put our place under irrigation. Ken Vollmer completed the well.

Please advise. Thank you.

Sincerely,

Bill & Nancy Callahan

Bill & Nancy Callahan
363 W. 13th St.
Idaho Falls, ID 83402

Enc.

REGISTERED

JUN 03 1991

RECEIVED

AUG 9 1989

Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: HLWJ

APPLICATION NUMBER: Callahan

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☐ Yes ☒ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

Typed copy made up for inclusion in file;
Signature not necessary
SVAN FALLS AREA

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☐ Other _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☐ No Other rights on same place of use. _____
☐ Yes ☐ No* In form for advertising.
Final date for protests: _____
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☐ Affidavit of publication received. Date: _____
☐ Application published correctly. If not, record action taken: _____
☐ Fee amount, receipt date & number, recorded on application.
☐ Publication dates and paper, recorded on application.
☐ Protests, dates, withdrawal, etc., recorded on application.
☐ Recommendation & initial, recorded on application.
☐ Yes ☐ No Measuring device required.
☐ Yes ☐ No Access port required.
☐ Yes ☐ No Will water be delivered by watermaster? If yes, what district? _____
Date of priority recommended. _____
Special conditions of approval or cover letter. _____

By: _____ Date: _____

STATE OFFICE REVIEW:

- ☐ See attached sheet for more information.
By: _____ Date: _____