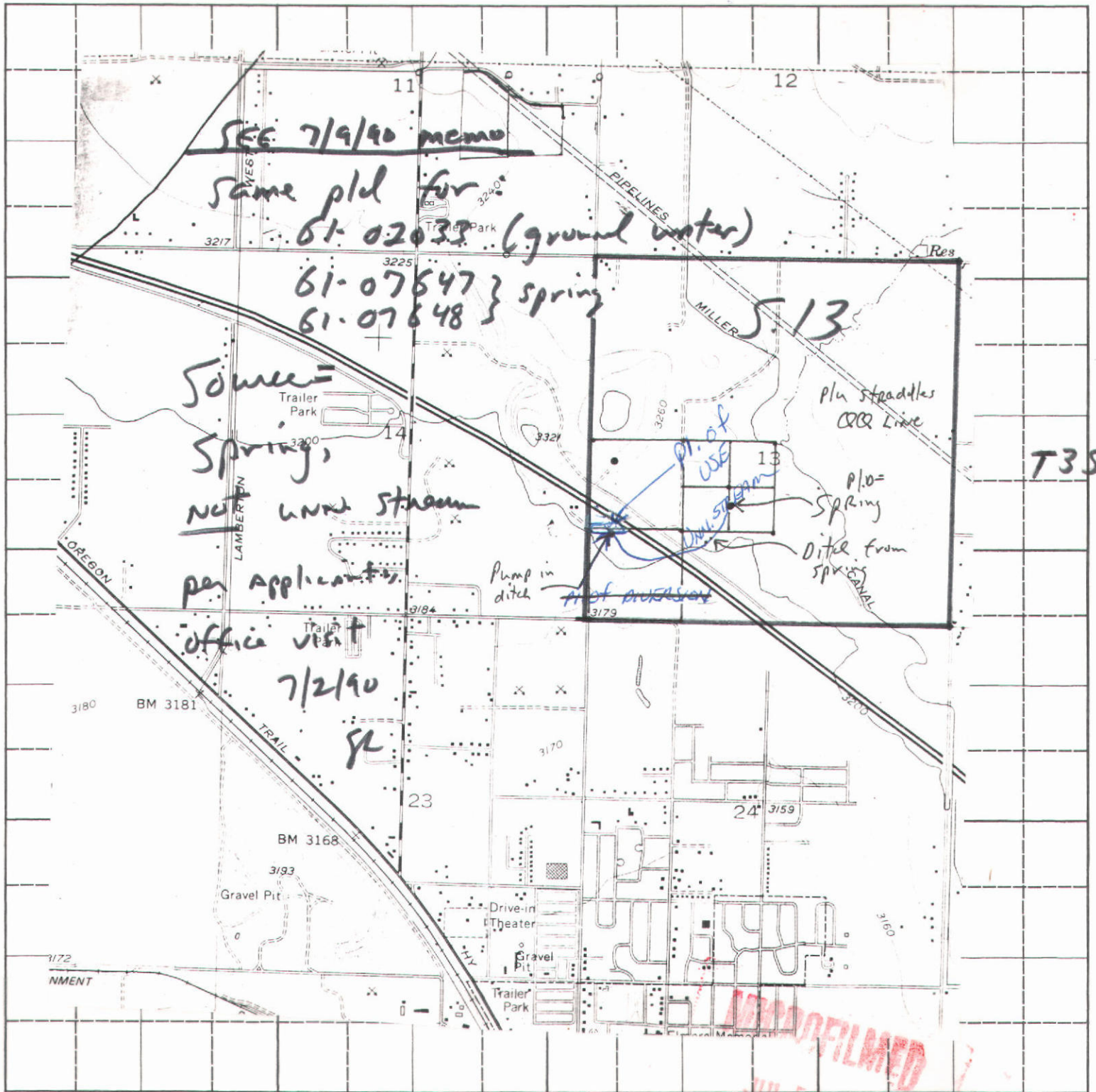


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



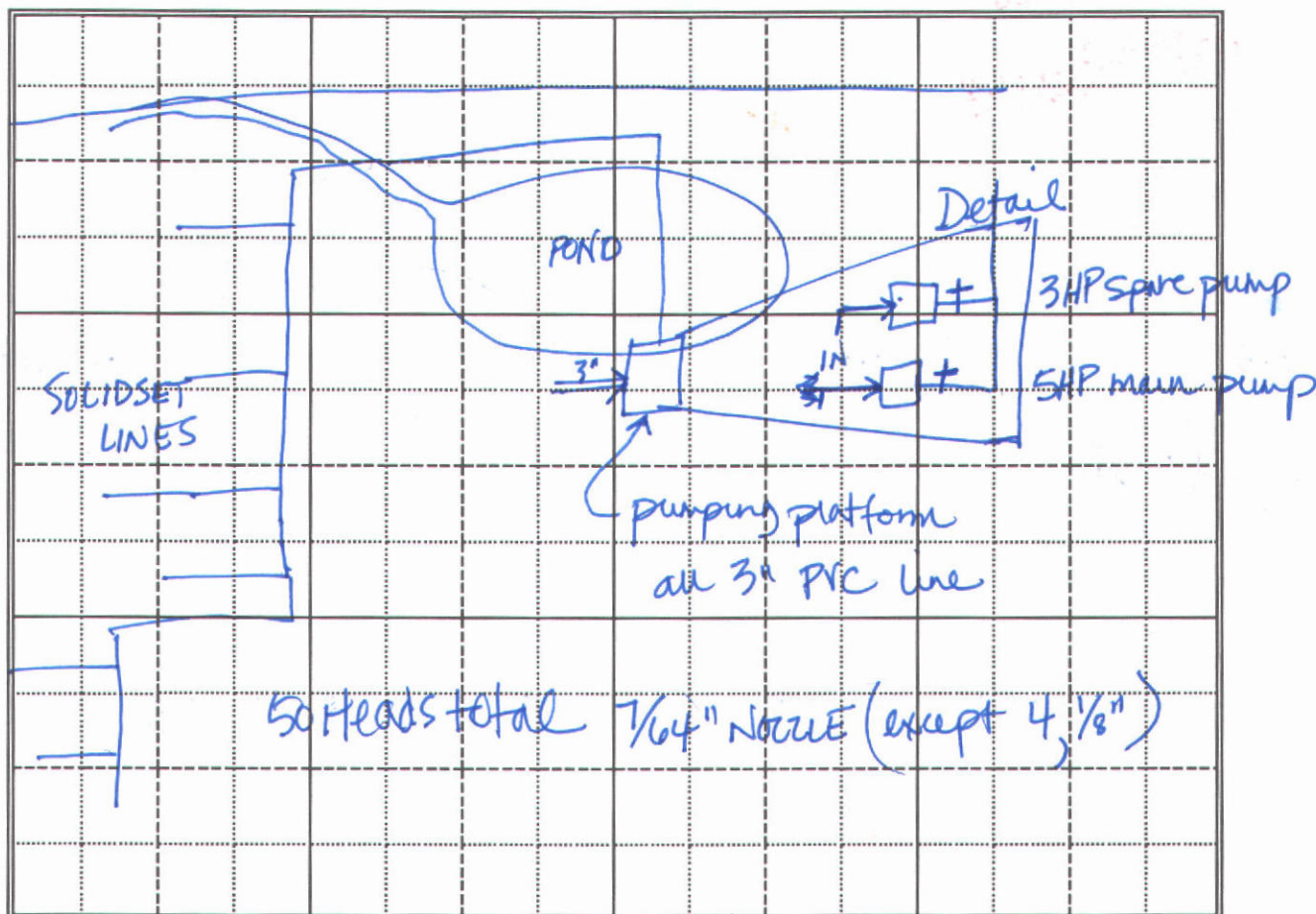
Scale: 2 inches equal 1 mile.

R66

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.

Ivan L. Cantrell
(Applicant)

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
	Farm Duty	5	7202/TO1532R 017F	?	BB2510 3"

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

D. FLOW MEASUREMENTS

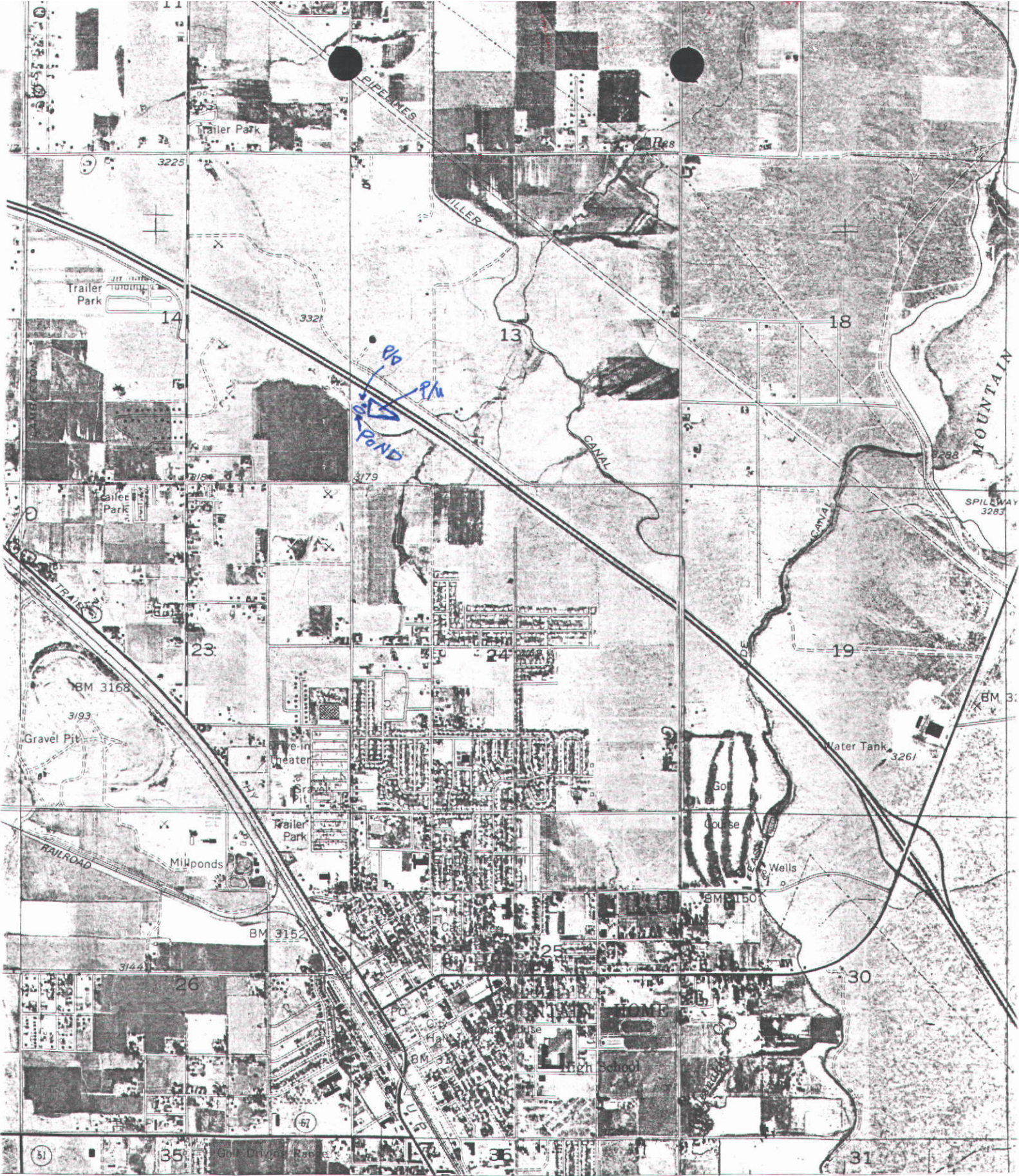
1.

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

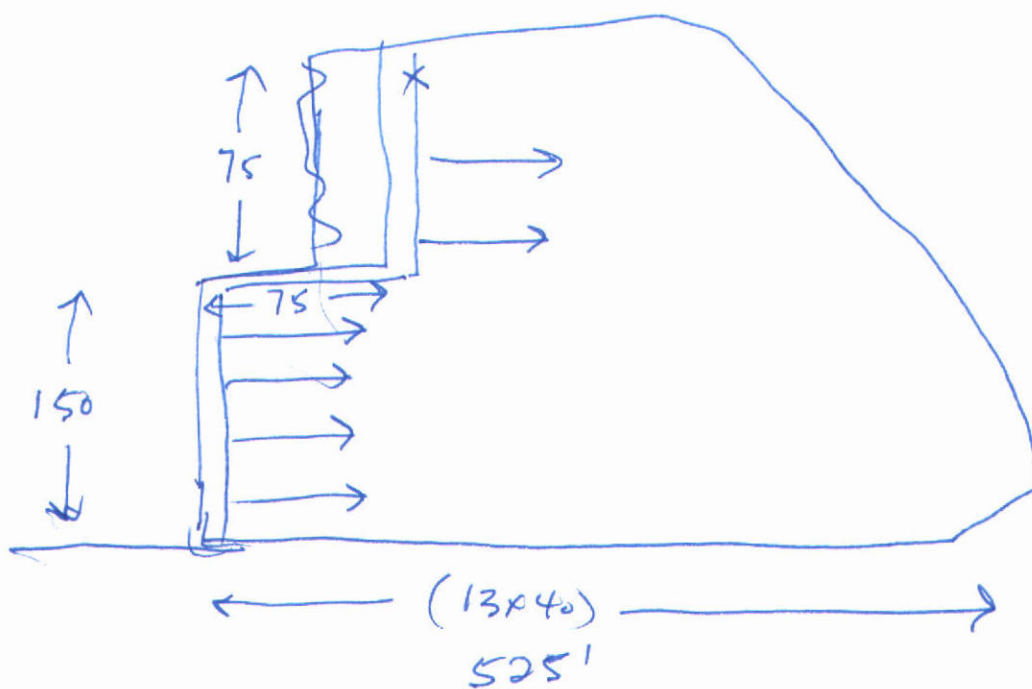
2. Measurements:

discharge press. 40 psi @ pump, avg 25 psi at nozzles (30 psi @ top^(head), 20 psi @ bottom^(end)). Last 3" nozzles use 1/8" all others 3/64"

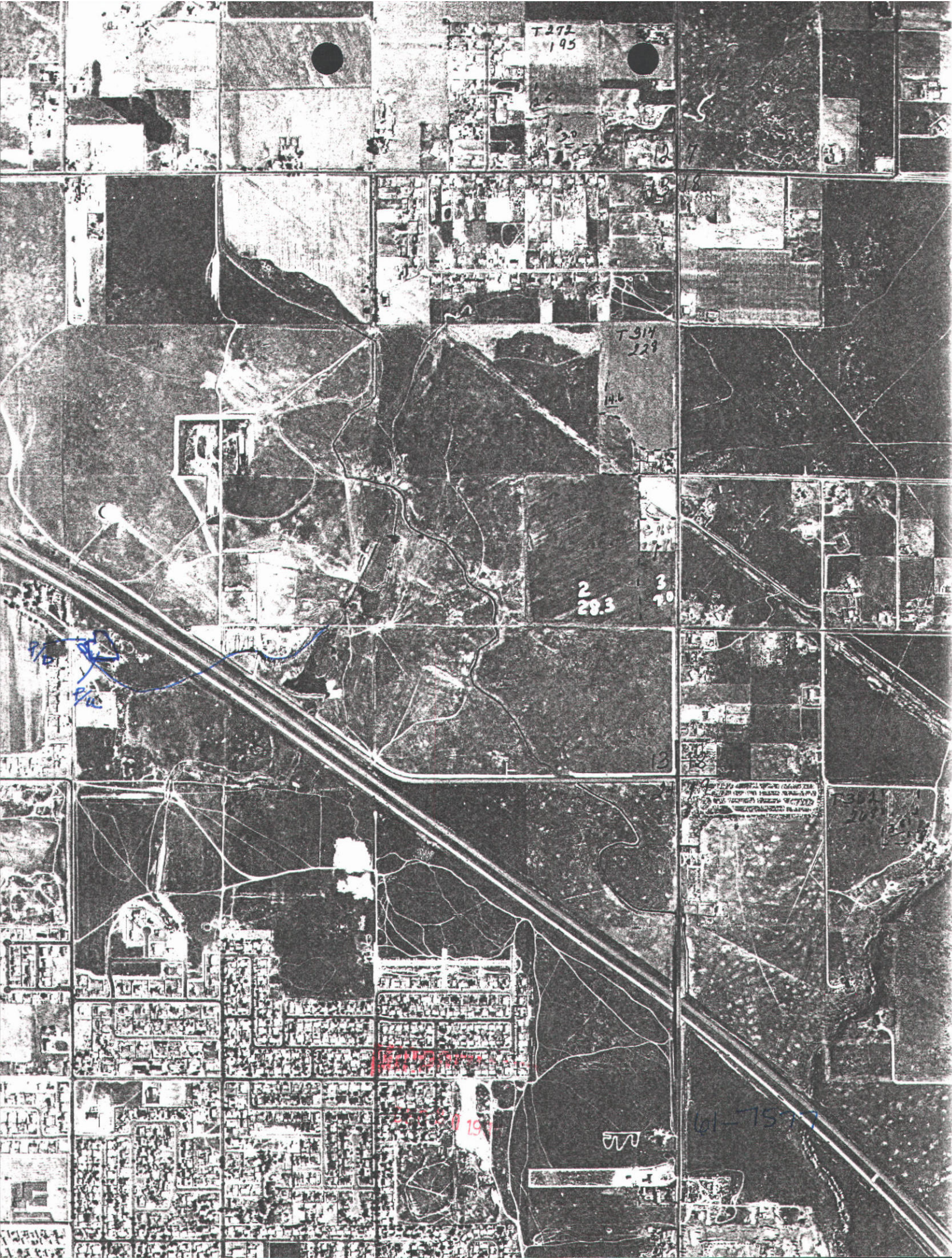
DEC 20 1995



10 000 FEET 42'30" BRUNEAU 20 MI OWYHEE (NEV) 97 MI
GLIMMETT 18 MI GLENN'S FERRY 27 MI
SCALE 1:24 000
1 1000 0 1000 2000 3000 4000 5000 6000 7000 1 MILE
1 5 0 1 KILOMETRE
MICRO 67577
DEC 20 1995
354E Sec 13



RECEIVED
DEC 20 1995



T 272
195

T 314
229

2
29.3

3
70

13

61-7577

195



Pond, showing
inflow (above)
& outflow (below).



Pump station
is just out of
lower photo to
← the right

NOT REFILED
DEC 20 1995

61-7577



Pump Station -
primary (5HP) &
backup (3HP) pumps



P/h

MICROFILMED

DEC 20 1995

61-7577

NOTICE OF APPLICATIONS
FOR WATER RIGHTS

The Following applications have
been filed to appropriate the public wa-
ters of the State of Idaho:

61-07577 ✓st

CANTRELL, ROBERTA N.

CANTRELL, IVAN E.

220 E. 10TH N.

MOUNTAIN HOME, IDAHO

836470000

Source: SPRING; Tributary: SINKS

Diversion Pt: SWNESW Sec. 13 T

03S R 06E; SENESW Sec 13 T 03S R
06E

Use: IRRIGATION (.090 CFS);
STOCKWATER (.020 CFS); RECREA-
TION (.090 CFS); Total Diversion:
(.090 CFS)

Date Filed: 6/12/1986

In: T03S R06E S13 NWSW SWSW

3.0 ACRES TOTAL

61-07647

CANTRELL, J.C.

CANTRELL, THELMA

335 W. 15 S.

MOUNTAIN HOME, IDAHO 83647

Source: SPRING; Tributary: SINKS

Diversion Pt: SWNESW Sec 13 T

03S R 06E; SENESW Sec 13 T 03S R
06E

Use: IRRIGATION (.090 CFS); IRRI-
GATION STORAGE (.30 AF); IRRIGA-
TION FROM STORAGE (.30 AF);
STOCKWATER (.020 CFS); STOCK-
WATER STORAGE (.30 AF); RECREA-
TION (.090 CFS); RECREATION
STORAGE (.30 AF); Total Diversion:
(.090 CFS), (.30 AF)

Date Filed: 7/2/1990

In: T03S R06E S13 SWSW

3.0 ACRES TOTAL

The permits will be subject to all
prior water rights. Protests must be
filed with the Director, Dept. of Water
Resources, Western Region, 2735 Air-
port Way, Boise, Idaho 83705 on or be-
fore AUGUST 6, 1990.

R. KEITH HIGGINSON, Direc-

tor

Published 7/18/1990 & 7/25/1990.

RECEIVED

AUG 1 1990

Department of Water Resources
Western Regional Office

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Mike Thornberry, do
solemnly swear that I am the foreman, or
publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation,
published once a week at MOUNTAIN HOME,
IDAHO, that the notice attached hereto and
which is a part of the proof of publication
thereof, was published in said newspaper for

2 consecutive weeks, the first publica-
tion having been made on the 18th day

of July, 1990, and

the last publication having been made on the

25th day of July, 1990

; every Wednesday issue of the paper

during the period and time of publication and
that the notice was published in the newspaper
proper and not in a supplement thereof.

And I further swear that the said MOUN-
TAIN HOME NEWS has been continuously and
uninterruptedly published in said Elmore County
during a period of 78 consecutive weeks prior
to the first publication of the attached notice.

Mike Thornberry
Subscribed and sworn to me this 31st

day of July, 1990

Robert G. Swa
Notary Public

MICROFILMED

JUL 5 1 1991

p/u
61-07577

61-07648

P/u LN
61-02033

CONFIDENTIAL
JUL 15 1991

5.24

ATTACHMENT A

Handwritten annotations on the map include:

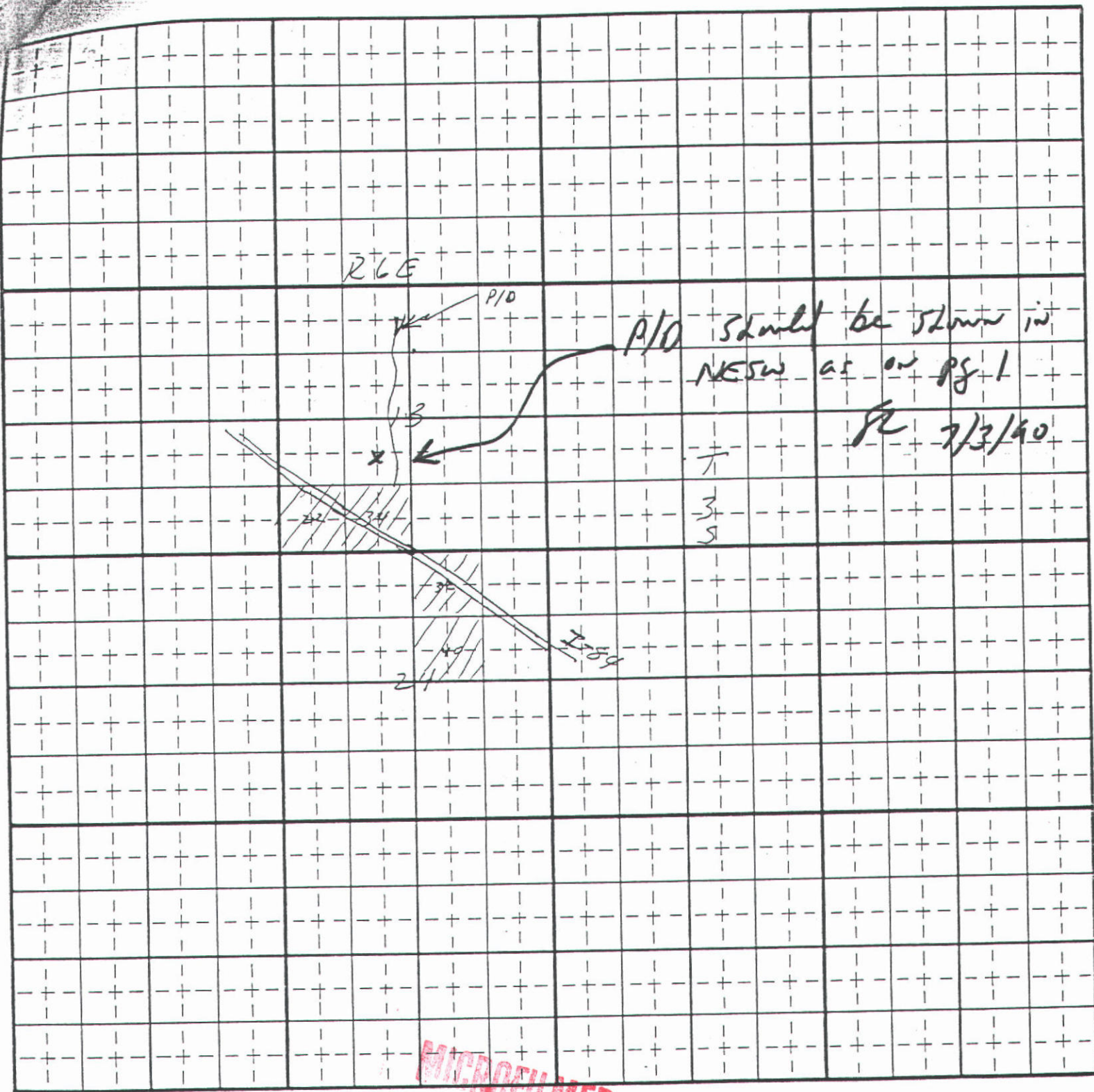
- Top right:** T35, R6E, S.13, S.24
- Center:** p/u 61-07647, p/u 61-07577, p/o
- Bottom right:** p/u 61-07648, p/u 61-02033, S.13, S.24
- Bottom center:** and III

A red stamp in the lower right quadrant reads: **RECORDED JUL 15 1991**

A large yellow banner at the bottom of the map reads: **ATTACHMENT A**

Show clearly the point of conversion, place of use, section number, township, and range number.

1 inch equals 1 mile



MICROFILMED

JUL 15 1991

Last Name Basque Ranches Ident No. _____

Copies: White-State, Yellow-Claimant

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 61-07577

Priority: June 12, 1986

Maximum Diversion Rate:

0.09 CFS

Maximum Diversion Volume:

10.9 AF

This is to certify, that ROBERTA N CANTRELL
IVAN E CANTRELL

2650 N 3RD E

MOUNTAIN HOME ID 83647

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 12, 1986; and has submitted Proof of Beneficial Use on June 1, 1994. An examination indicates that the works have a diversion capacity of 0.200 cfs of water from:

UNNAMED DRAIN

tributary to SINKS

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	04/01 to 10/31	0.09 CFS	10.8 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.1 AF
AESTHETIC	01/01 to 12/31	0.09 CFS	10.8 AF
	Totals	0.09 CFS	10.9 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 13, Township 03S, Range 06E
ELMORE 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>
03S	06E	13	SWSW	2.7		2.7

Total number of acres irrigated: 2.7

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

PLACE OF USE:

AESTHETIC, same as IRRIGATION use

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DEC 20 1995

CONDITIONS OF APPROVAL AND 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 which 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.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 61-07577

CONDITIONS OF APPROVAL AND REMARKS

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 and may change, add, or remove any requirement as determined to be appropriate.
8. This right when combined with all other rights shall provide no more than 4.0 afa per acre for the lands above.
9. Stockwater use is for 10 head of mixed stock.

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 12TH day of DECEMBER, 1995.

Acting for


KARL J. DREHER, Director

DEC - 9 1995

State of Idaho
Department of Water Resources

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DEC 07 1995

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 61-07577

Date of Priority: June 12, 1986

Maximum Diversion Rate: 0.09 CFS

Maximum Diversion Volume: 10.9 AF

Comes now

ROBERTA N CANTRELL
IVAN E CANTRELL

2650 N 3RD E
MOUNTAIN HOME ID 83647

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 61-07577, and requests that the permit be changed as follows:

Source: UNNAMED DRAIN

tributary to SINKS

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.09 CFS	10.8 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.1 AF
AESTHETIC	01/01 to 12/31	0.09 CFS	10.8 AF
	Totals	0.09 CFS	10.9 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 13, Township 03S, Range 06E
ELMORE 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>
03S	06E	13	SWSW	2.7		2.7

Total number of acres irrigated: 2.7

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

PLACE OF USE:

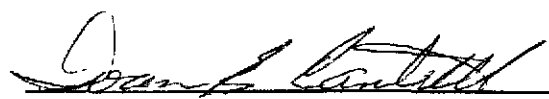
AESTHETIC, same as IRRIGATION use

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DEC 20 1995

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Boise, Idaho, this 5th day of December, 1995.


(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 61-07577

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = 50 - Received by VR # W02012 Date 12-5-95

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 61-07577 with the following;

CONDITIONS OF APPROVAL AND 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 which 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.
8. This right when combined with all other rights shall provide no more than 4.0 afa per acre for the lands above.
9. Stockwater use is for 10 head of mixed stock.

Witness my hand this 12TH day of DECEMBER, 1995.

Acting for

KARL J. DREHER, Director

DEC 20 1995

For Office Use Only
 Amt of Fee \$ 50.00
 Date 6/1/94
 Receipt No W017533
 Received by CJH

RECEIVED

JUN 01 1994

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

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.

Permit No. 61-07577 Telephone No. 587-8607

2 Name(s) of Permit Holder(s): IVAN E. & ROBERTA W. CANTRELL

3 Post Office Address 2650 N. 3rd E. MIN HOME, Ida. 83647

4 Source of Water: Frazier Tunnel Spring.

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

b Pump horsepower: — Pressure (psi): — Dynamic pumping level (ft): —

5 Extent of Use

Domestic (No. of households)

Irrigation ~~625~~ (No of acres)

Stockwater / 0 mixed (No and type of stock)

Other Recreation

6 Total rate and/or volume for which proof is submitted .09 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 \$ 50.— (See License Examination Fee Schedule)

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

~~Applicant~~ Applicant Name _____ 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.

6/1/94
Date

Signature (and title if on behalf of a company or organization) JUN 12 1994

ARMED

ⁿ⁾ JUN 13 1994

RECEIVED
Form 204
MAY 27 1993

JUN 02 1993

For Office Use Only
\$15 Fee Received by SW
Date 5-27-93
Receipt No. 161016-311

Department of Water Resources
Western Regional Office

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. 61-7577

Name(s) of Permit Holder: Ivan E. & Roberta M. Cantrell

Mailing Address: 2650 N. 3. E. MTR. Acre, Ida. 83647

Date Proof is Due June 1 1993 Telephone No. 597-8807

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".)

a pond has been constructed.

Costing \$ 1500-

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

uncertainty regarding drought.

Permit holder(s) request an extension to June 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 June 1, 1994.

JUN 30 1993

Signed this 2nd day June, 19 93

J. Allen Saptor
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources

NO. 61-07577

Proposed Priority: June 12, 1986 Maximum Diversion Rate: 0.09 CFS
This is to certify, that **ROBERTA N. CANTRELL**

IVAN E. CANTRELL
220 E. 10TH N.
MOUNTAIN HOME, ID 836470000

has applied for a permit to appropriate water from:

SPRING tributary of SINKS

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	03/15 to 11/15	0.09 CFS
STOCKWATER	01/01 to 12/31	0.02 CFS
RECREATION	01/01 to 12/31	0.09 CFS
	Totals	0.09 CFS

LOCATION OF POINT(S) OF DIVERSION:

SENESEW	Sec. 13, Township 03S, Range 06E
SWNESEW	Sec. 13, Township 03S, Range 06E
	ELMORE 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>
03S	06E	13	NWSW 1.5	SWSW 1.5		3

Total number of acres irrigated: 3

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: RECREATION, 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 **June 1, 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. 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.

JUL 5 1 1991

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

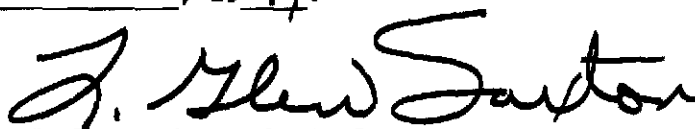
NO. 61-07577

CONDITIONS/REMARKS:

5. 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.
6. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
7. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
8. Use of water under this permit may be affected by an agreement between the protestant and the applicant.
9. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
10. The source is known locally as Frazier Tunnel Spring.
11. Single point of diversion is located on or near the line between SWNESW and SENESW, S13, T03S, R06E.
12. Stockwater use is for 10 head of mixed stock.

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

20th day of June, 1991.

for 
R. Keith Higginson, Director

JUN 21 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 61-07577

To appropriate the public waters of the State of Idaho

1. Name of applicant IVAN E. & /or Roberta N. Cantrell Phone 587-8807
Post office address 220 E. 10th N. - Mtn. Home, ID. 83647
2. Source of water supply Spring which is a tributary of Sinks
3. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot —
Sec. 13 Township 3S Range 6E B.M. Elmore County; additional
points of diversion if any: SENE SW S. 13 T3S R6E
4. Water will be used for the following purposes:
Amount .09 for IRRIGATION purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .02 for Stockwater purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .09 for Recreation 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)
5. Total quantity to be appropriated is (a) .09 and/or (b)
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. tunnel(s) provide spring water,
ditches & pump.
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 inches; proposed depth of well is feet.
d. Is ground water with a temperature of greater than 90°F being sought?
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
5 years (minimum 1 year).

Revised pg. 1 & 2 per office visit by applicant,
7/2/90. SL. original pg. 1 & 2 attached.

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. 10 hd. mixed stock
 - Municipal; show name of municipality. _____
 - Domestic; show number of households. _____
 - Other; describe fully. recreation pond (storage not required, see 7/9/90 memo)

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	
35	66	13										1.5	1.5						3.0
												S	S						
												R	R						

Total number of acres to be irrigated 3.0

10. Describe any other water rights used for the same purposes as described above. NONE
(61-02033, 61-07647, 61-07648 same pld but other acres)
11. a. Who owns the property at the point of diversion? Aguirres of Basque Ranches
b. Who owns the land to be irrigated or place of use? Applicant
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. verbal agreement

12. Remarks: Source locally known as Frazier Tunnel Spring.
Single point of diversion on line between SW & SE of NESW,
S. 13, T35, R66.

[illegible]

RGE

Juan L. Cortell
(Applicant)

Received by [Signature] Date 6/12/86 Time 2:00 Preliminary check by [Signature] & 82 7/10/90
Fee \$ 50.00 Receipted by [Signature] # 40354 Date 6/12/86
Publication prepared by J. P. [Signature] Date 7/9/86 Published in Mountain Home News
7/11/90 FIRST ADU. 7/18 * 7/25/90
Publication approved [Signature] Date 8-6-90

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
JUL 51 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 IVAN E. + /OR ROBERT A. N. CANTRELL Phone 587-8807
Post office address 220 E. 10TH N., MTN. HOME, ID 83647
2. Source of water supply UNN^{SPRING} STREAM which is a tributary of JINKS
3. Location of point of diversion is SW^{SW} 1/4 of SW^{NE} 1/4 of SW 1/4, Govt Lot —
Sec 13 Township 3S Range 6E B.M. ELMORE County; additional
points of diversion if any. SE NE SW S. 13 T3S R6E

4. Water will be used for the following purposes.

- Amount .09 for IRRIGATION purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum) STOCKWATER
- Amount .02 for STOCKWATER purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum) STOCKWATER
- Amount .09 for RECREATION purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum) STOCKWATER
- Amount .5 for FROM DITCH purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

- 5 Total quantity to be appropriated is (a) .09 and/or (b) .5
cubic feet per second acre feet per annum

6. Proposed diverting works

- a. Description of ditches, flumes, pumps, headgates, etc Spring flows into ditch, PUMP IN ditch
LINK TO PL. OF USE. SMALL POND FOR STOCKWATER
+ FISHING. ON-STREAM.

- N/A { b. Height of storage dam — feet; active reservoir capacity .5 acre-feet; total
reservoir capacity .5 acre-feet; period of year when water will be diverted to storage
1/1 to 12/31 inclusive

- c. Proposed well diameter is — inches, proposed depth of well is — feet

- d. Is ground water with a temperature of greater than 90°F being sought? —

7. Time required for the completion of the works and application of the water to the proposed beneficial use is
5 years (minimum 1 year)

ORIGINAL Appl., Revised per office
visit by Ivan Cantrell, 7/2/90, 82.

MICROFILMED
JUL 5 1991

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 10 HD. STOCK
- c Municipal, show name of municipality. _____
- d Domestic, show number of households. _____
- e Other; describe fully FISH POND (RECREATION USE)

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	
35	6E	13										1.5	1.5						3
												S	S						
												R	R						

Total number of acres to be irrigated 3

10 Describe any other water rights used for the same purposes as described above NONE

11. a Who owns the property at the point of diversion? APPLICANT
- b Who owns the land to be irrigated or place of use? APPLICANT 1991
- 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. UNM. STREAM ORIGINATES FROM WHAT IS
SOURCE LOCALLY KNOWN AS FRAZIER TUNNEL SPRING.
Single point of diversion on tract line. Water is diverted via pump from
ditch to s.w.s.w. s. 13.



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

December 13, 1995

ROBERTA N CANTRELL
IVAN E CANTRELL
2650 N 3RD E
MOUNTAIN HOME ID 83647

RE: WATER RIGHT NO. 61-07577

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

MAILED
DEC 20 1995



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

November 22, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

IVAN E CANTRELL
ROBERTA N CANTRELL
2650 N 3RD E
MOUNTAIN HOME ID 83647

RE: PERMIT NO. 61-07577

Dear Water Right Holder(s):

Permit 61-07577 is currently being reviewed for licensing. However, before a license can be issued, your permit must be amended to depict your water right as it has actually been developed.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects not only a correction in the point of diversion location, but also a change in the nature of one of the uses. Because the pond on your property is primarily for looks rather than for fishing, "aesthetic" more accurately describes the use than the recreation designation. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

Thank you for your assistance and if you have any questions with this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

SHELLEY W. KEEN
Water Rights Supervisor

SWK:bc

Enclosure

RECEIVED
DEC 20 1995

LICENSE REVIEW CHECKLIST

PERMIT NO. 61-07577 DATE 11-16-95



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? Unnamed drain
 Notice of Intent to Void necessary? NO

POINT OF DIV Amendment needed? Change to SWSW
Overlaps? _____

PLACE OF USE Amendment needed? Delete NWSW 1/4 1/4
Overlaps? _____

DIV RATE Permit/fee limits: .09 CFS
Sprinkler Meas Q = .20 Theo Q = .30 Recommend: .09
REC = .09 can go with .09
2.7 acres x .03 = .08 STOCK = .02
 Combined rates exceed capacity _____

ANNUAL VOLUME Volume Limit: NEW Season 0/4.0 4-1 to 10-31
Calculations: 2.7 x 4 = 10.8
10 head = .1 REC = 10.8 OK
 Flow limit: .09 cfs x 365 x 1.9835 = _____
 Combined volumes exceed capacity/allowable 65

USES Change in Nature of Use or additional uses? Recreation
Amendment necessary? to Aesthetic

ADDITIONAL INFO Supplemental Groundwater _____ PPU Scenario _____
Irr/Dom Combination _____ Shared G/W System _____

NEW REMARKS Multiple p/d(s) in 1/4 1/4? _____
YES Other Recreation use is for Fishing.

NEW CONDITIONS Watermaster control - District _____
Measuring/Locking Devices _____
R24 Irrigation Overlap _____
YES Other R55 R56 R57 (TRUST) _____
Water Quality _____ Heat/Cool/Fish verified _____

COMMENTS: Reduce acres to 2.7.
Nature of Use & Amend P/E

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	NO
<u>Irrigation aesthetic</u>	<u>.09</u>	<u>10.8</u>	<u>Adjustment Memo Needed</u>	<u>NO</u>
<u>STOCK</u>	<u>.02</u>	<u>.1</u>		<u>YES</u>
<u>Recreation</u>	<u>.09</u>	<u>10.8</u>	LICENSE	<u>Special</u>
<u>Total</u>	<u>.09</u>	<u>10.9</u>	1ST AMEND LETTER	<u>P39 + P38</u>
			2ND AMEND LETTER	<u>P47</u>

MEMORANDUM

TO: File 61-07577 / Robert Cantrell
FROM: Brenda Chapman
DATE: November 22, 1995
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for Right 61-07577 are based on the information below:

The recreation (fishing) use under this permit no longer reflects the use as it has been developed. The pond is merely an aesthetic addition to the property. Since this is just a clarification of the use, an amendment would not be necessary. However, because the point of diversion needs amending, the change in the nature of one of the permitted uses will be addressed in the amendment cover letter.

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DEC 20 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

OCT 05 1993

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 61-07577

1. Owner: IVAN E & Robert N Cantrell Phone No. 587-8807

Current Address: 2650 N 3rd E Mtn Home ID 83647

2. Accompanied by: owners EXAM DATE: 6-16-94

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: unnamed drain tributary to Sinks

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 61-00025, 2033, 7647

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
		NW	SW	SW	13	3S	6E	Elmore	Site Visit Map

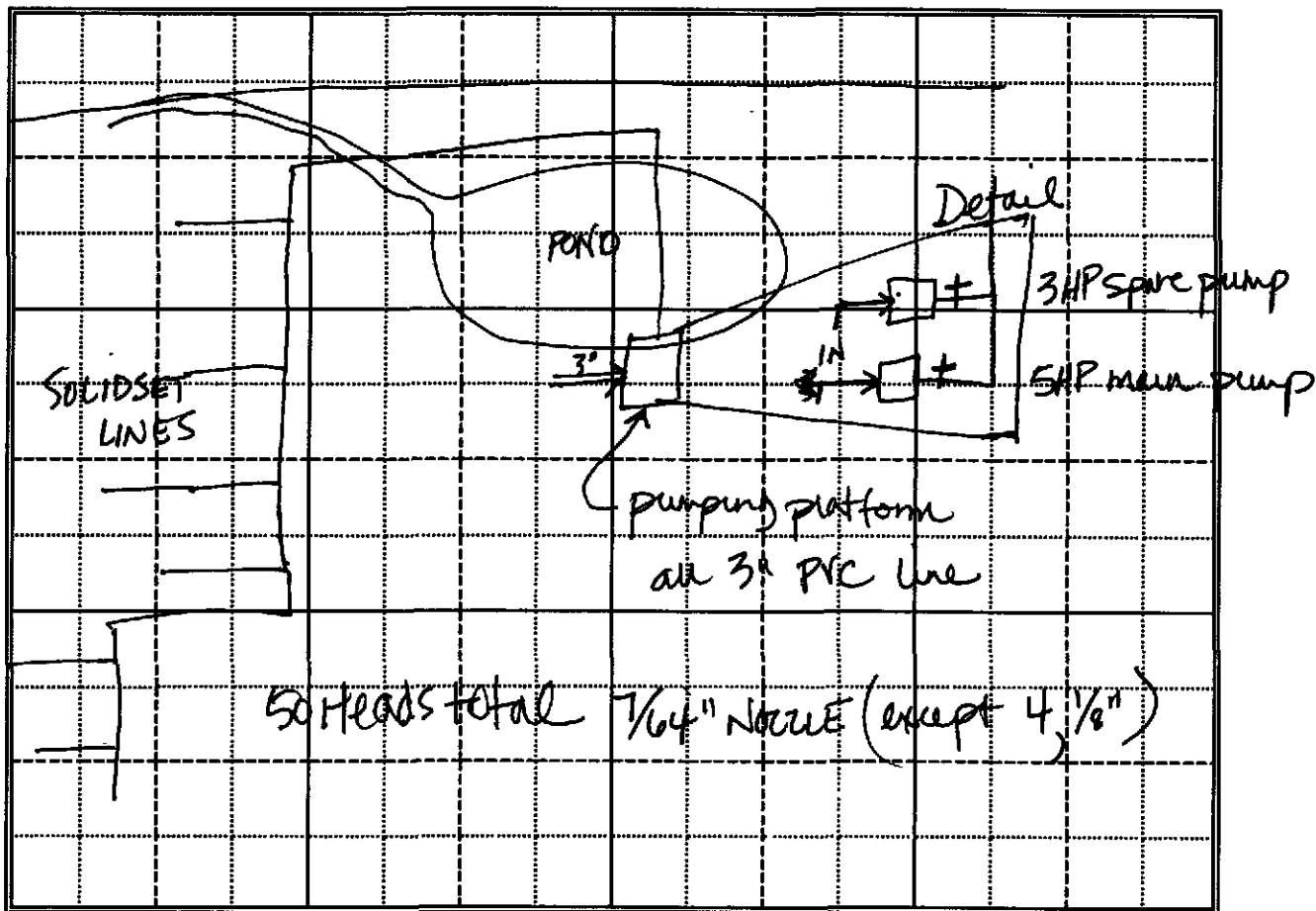
2. Place(s) of Use:

Indicate Method of Determination above, pouring

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3S	6E	13											2.7						2.7

DEC 20 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 Quadrange 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
	Farm Duty	5	7202/TO15321F 017F	?	BB2510 3"

*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

2. Measurements: discharge press. 40 psi @ pump, avg 25 psi at nozzles (30 psi @ top (head), 20 psi @ bottom (end)). Last 3-4 nozzles use 1/8" all others 7/64"

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E. NARRATIVE/REMARKS/COMMENTS

Waste drain discharges to small collection pond,
50' diameter x 3.5' deep (avg - max depth = 7'), Vol = .02AF
5HP pump relifts to solid set handlines, 3", thru
3" mainline on pasture. Total 50 heads
operating, 6 risers. yard irrigation from well.

Stockwater use is for 10 head mixed (6 cows, horses, mules)

Source is tunnel drain located in NESW Sec 13. Discharges
form a waste channel which flows thru applicants property,
under road & sinks in open area to the west.
Point of diversion for this right is in pond
formed by unnamed stream. Clarify source as
unnamed & modify P/D recommended. (see Steve Lester's memo
to file 1990)

Overlaps - all recorded rights are for other acres.

61-7647 is from same source (unnamed drain)
but diverted upstream & used on Mr. Centell's
brother's property.

61-2033 likely abandoned - see Steve Lester's 1990 memo to file

Stockwater drink from pond, recreation use is primarily
aesthetic. Total stored/impounded volume is <.1AF. AF
presumed inflow (.09 cfs) facility will fill in 24 hrs - Storage
not required.

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

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Additional Computation Sheets Attached

4 @ 2.09 gpm
46 @ 1.79 gpm $\geq 90.7 \text{ gpm} = .202 \text{ cfs}$

Check 2

$$\frac{5 + 8.8 \times .7}{10 + (40 \times 2.31)} = .30 \text{ cfs}$$

z pump pressure
(No friction loss applied)

1. Volume Calculations for Irrigation:

$$V_{I,R} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{2.7 \times 4 = 10.8}$$

$$V_{D,R} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{.09 \times 214 \times 1.9835 = 38.2}$$

$$V = \text{Smaller of } V_{I,R} \text{ and } V_{D,R} =$$

2. Volume Calculations for Other Uses:

Stockwater - 10 head mixed range $\times 0.0134 = .1 \text{ AFA}$

Recreation - limit to irrigation volume. Flow-through system, $\frac{1}{2}$ drain intermittent in winter

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (ata)
	From	To		
IRR	4/1	10/31	.09	10.8
STOCKWATER	1/1	12/31	.02	.1
RECREATION	1/1	12/31	.09	10.8
Totals:			.09	10.9

☒ 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

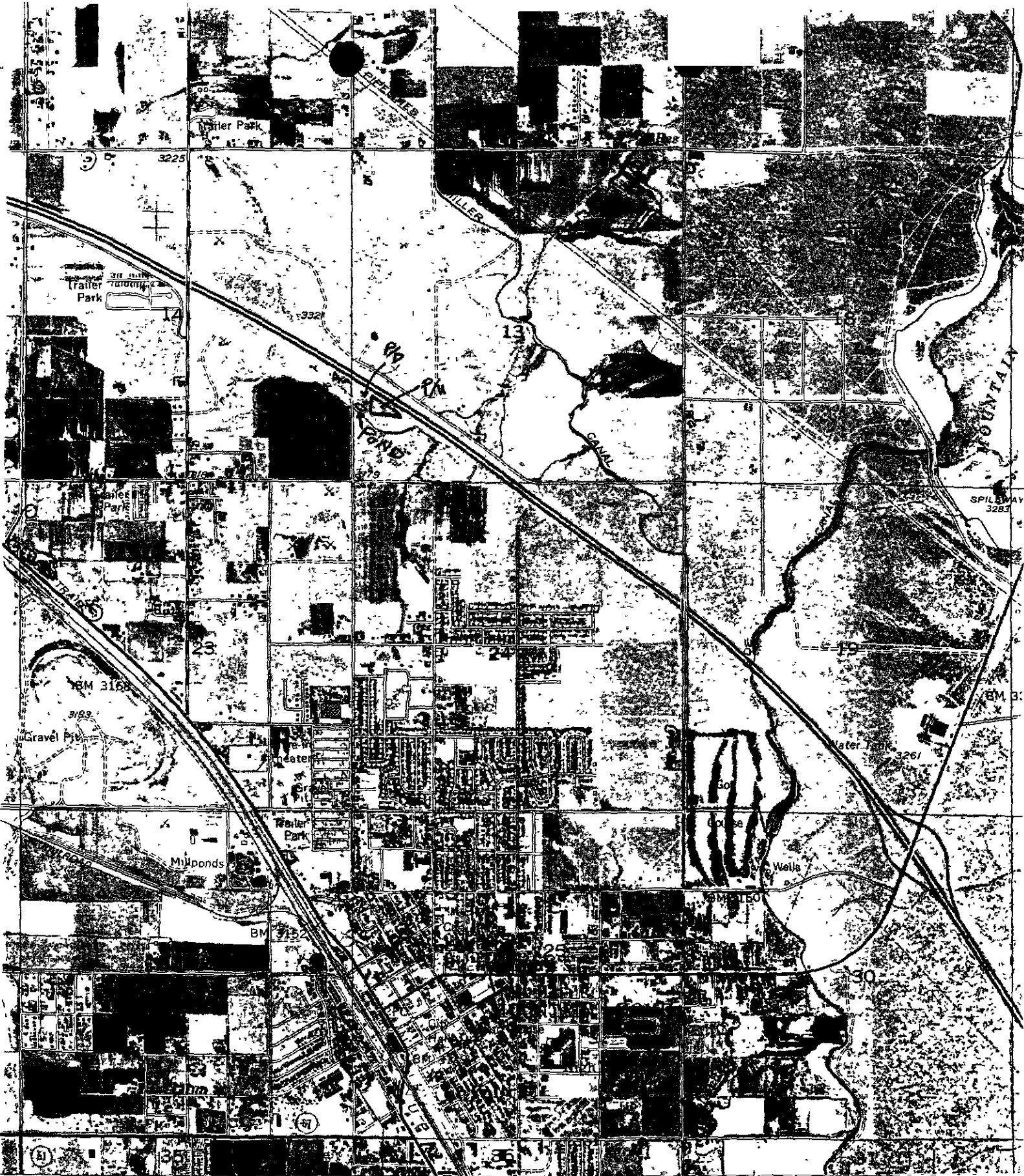
Field Examiner's Name CJ Hodges Date 9-11-95

Reviewer _____ Date _____

SEAL

1950

DEC 20 1995



10 000 FEET 42'30" 07 R 6 E R 7 E 508 40' 09'

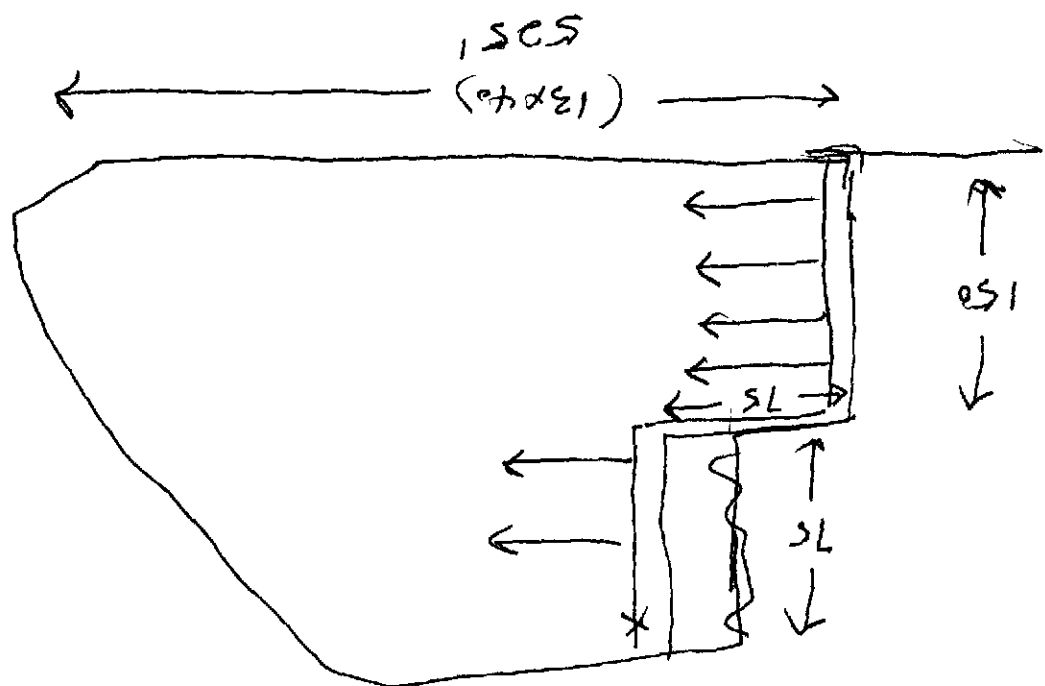
BRINEAU 20 MI GLENN FERRY 17 MI

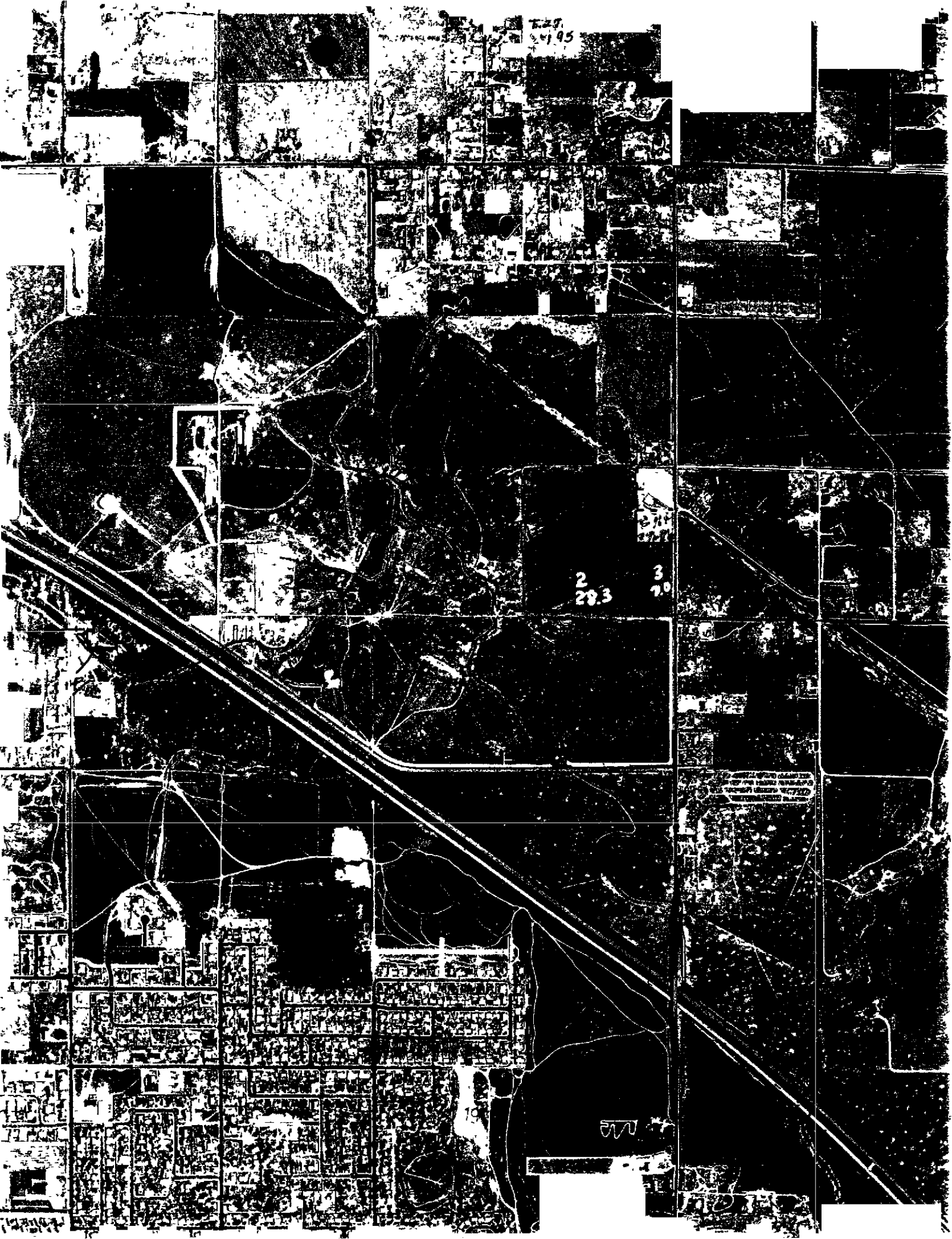
SCALE 1:24 000

1 0 1000 2000 3000 4000 5000 6000 7000 1 KILOMETRE

DEC 20 1977 354E Sec 13

DEC 20 1995





7-27
2495

2
28.3

3
7.0

THE NATIONAL ARCHIVES
SERIES OF THE UNITED STATES
AND TERRITORIES 1776-1900
WASHINGTON, D.C.

19

W



Pond, showing
inflow (above)
& outflow (below).



Pump station
is just out of
lower photo to
← the right

NOT RECORDED
DEC 20 1995

61-7577



Pump Station -
primary (5HP) &
backup (3HP) pumps



P/n

RECEIVED
DEC 20 1995
61-7577

June 6, 1994

ROBERTA N. CANTRELL
IVAN E. CANTRELL
2650 N. 3RD E.
MOUNTAIN HOME ID 836470000

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 61-07577

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 WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

MAILED

JUN 13 1994

March 31, 1994

ROBERTA N. CANTRELL
IVAN E. CANTRELL
2650 N. 3RD E.
MOUNTAIN HOME ID 836470000

PROOF DUE NOTICE

RE: PERMIT NO. 61-07577

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 June 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.

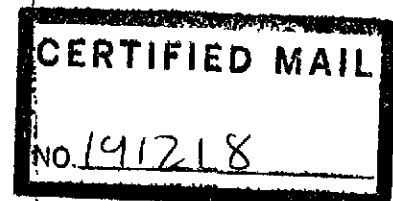
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

RECEIVED

JUN 13 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 3, 1993

Ivan and Roberta Cantrell
2650 N 3rd E
Mountain Home, ID 83647

Re: Permit No. 61-07577

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 June 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,

A handwritten signature in cursive script that reads "Karen L. Gustafson".

Karen L. Gustafson
Secretary/Records Manager

Enclosure

C: JDWR-Regional Office

RECEIVED

JUN 30 1993

March 31, 1993

ROBERTA N. CANTRELL
IVAN E. CANTRELL
2650 N. 3RD E.
MOUNTAIN HOME ID 836470000

PROOF DUE NOTICE

RE: PERMIT NO. 61-07577

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 June 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



MEMORANDUM

TO: File No(s): 61-07577
FROM: Brenda Miller
DATE: July 5, 1991
RE: Address Update

=====

The computer records have been updated to reflect the owner's current address. The new address is:

Roberta N. Cantrell
Ivan E. Cantrell
2650 N. 3rd E.
Mountain Home, ID 83647

Also, the approved Permit was resent to the Cantrell's new address.

MAILED

JUL 15 1991



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 25, 1991

ROBERTA N. CANTRELL
IVAN E. CANTRELL
220 E. 10TH N.
MOUNTAIN HOME, ID 836470000

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 61-07577

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.

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

MICROFILMED

JUL 15 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

RECEIVED
JUL 15 1991

PS Form 3800, June 1985

USGPO 153-506

RECEIPT FOR CERTIFIED MAIL

P-582 149 807

NO POSTAGE NECESSARY IF MAILED
IN THE UNITED STATES

(See Reverse)

Send to J.C. &/or Thelma Cantrell
335 W. 15 S.
Mountain Home, ID 83647

Postage

\$.29

Contract fee

1.00

Special Delivery

Registered Mail

Postage and Insurance

\$.90

Not to be used for return to sender
and must be filled in by

Postage and Insurance

2.19

Postmark (Date)

P-581 149 806

RECEIPT FOR CERTIFIED MAIL

U.S. POSTAL SERVICE
WASHINGTON, D.C. 20540

See Receipt

Domingo Aguirre

315 E. 5th N.

Mountain Home, ID 83647

Postage

.29

Certified Fee

1.00

Special Delivery Fee

Postage and Insurance

Postage and Insurance
to be paid by addressee

.90

Postage and Insurance
to be paid by addressee

2.19

Postmark

U.S.G.P.O. 153-506

PS Form 3800, June 1985

1. *Chlorophyll a* and *Chlorophyll b* content were determined using a spectrophotometer (Shimadzu UV-1601) at 663 nm and 646 nm, respectively. The concentration of chlorophyll was expressed as mg/g of fresh weight.

$\mathcal{H}^1(\mathbb{R}^n) \subset \mathcal{H}^1(\mathbb{R}^n)$

[illegible]

$\frac{d}{dt} \left(\frac{\partial L}{\partial \dot{x}} \right) = \frac{\partial L}{\partial x}$

[illegible]

$\sum_{j=1}^n \lambda_j \log(p_{ij}) = -\sum_{j=1}^n \lambda_j (\log p_{ij}) = -\sum_{j=1}^n \lambda_j (-\log p_{ij}) = \sum_{j=1}^n \lambda_j \log(1/p_{ij})$

5.2.6. *Equivalence of the two models*

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article
- Endorse article "Return Receipt Requested" adjacent to number

RECEIVED
FILMED

JUL 15 1991



PENALTY FOR PRIVATE
USE, \$300

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below

DEPARTMENT OF WATER RESOURCES

2735 AIRPORT WAY

BOISE, IDAHO 83705

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in "RETURN TO" Space on the reverse side. Failure to do so will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

- 1 ☐ Show to whom delivered, date, and addressee's address (Extra charge) 2 ☐ Restricted Delivery (Extra charge)

3 Article Addressed to:

Ivan &/or Roberta Cantrell
220 E. 10th N.
Mountain Home, ID 83647

4 Article Number

P-581 149 808

Type of Service. 61-7577 &

- ☐ Registered ☐ Insured
☒ Certified ☐ COD 61-7647
☐ Express Mail ☐ Return Receipt for Merchandise

5 Signature - Addressee

X

6 Signature - Agent

X

7. Date of Delivery

3-26-91

Obtain signature of addressee
and DATE DELIVERED

8. Addressee's Address (ONLY if requested and fee paid)

JUL 15 1991

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse
- Attach to front of article if space permits, otherwise affix to back of article
- Endorse article "Return Receipt Requested" adjacent to number.

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below

DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705



PENALTY FOR PRIVATE
USE, \$300

RECEIVED
JUL 15 1991

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in "RETURN TO" Space on the reverse side. Failure to do so will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address
(Extra charge)
2. ☐ Restricted Delivery
(Extra charge)

3. Article Addressed to:

Domingo Aguirre

315 E 5th N
Mountain Home, ID 83647

JUL 15 1991

4. Article Number

P-581 149 806

Type of Service 61-7577 &

- ☐ Registered ☐ Insured 61-7647
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt
for Merchandise

Always obtain signature of addressee
or agent and DATE DELIVERED

5. Signature - Addressee

X *Dolores Aguirre*

6. Signature - Agent

X

7. Date of Delivery

3/26/91

8. Addressee's Address (ONLY if
requested and fee paid)

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705



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JUL 15 1991



PENALTY FOR PRIVATE
USE, \$300

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4

Put your address in "RETURN TO" Space on the reverse side. Failure to do so will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested.

1 ☐ Show to whom delivered, date, and addressee's address (Extra charge) 2 ☐ Restricted Delivery (Extra charge)

3 Article Addressed to.

J.C. &/or Thelma Cantrell
335 W. 15 S.

Mountain Home, ID 83647

Article Number

P-581 149 807

Type of Service 61-7577 &

☐ Registered ☐ Insured
☒ Certified ☐ COD 61-7647
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED

5. Signature — Addressee

X Thelma Cantrell

6 Signature — Agent

X

7 Date of Delivery

MAR 29 1991

8 Addressee's Address (ONLY if requested and fee paid)



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 17, 1991

Domingo Aguirre
315 E. 5th N.
Mountain Home, ID 83647

Re: Applications for Permit No. 61-7647 in the Name of J.C.
&/or Thelma Cantrell and No. 61-7577 in the Name of Ivan
E. &/or Roberta N. Cantrell

Dear Protestant:

This office acknowledges receipt of the withdrawal of protest
against the above-referenced applications.

The Department now will continue to process the applications.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:st

CC: J.C. &/or Thelma Cantrell
Ivan E. &/or Roberta N. Cantrell

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MAY 17 1991

JUL 15 1991

RECEIVED

MAY 8 1991

HALL & FRIEDLY

ATTORNEYS AT LAW
340 EAST 2ND NORTH
MOUNTAIN HOME, IDAHO 83647

Department of Water Resources
Western Regional Office

PERCE HALL
JAY R. FRIEDLY

TELEPHONE
(208) 587-4412

May 7, 1991

Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

Gentlemen:

Attention: David R. Tuthill, Jr. *DR*

I am enclosing for your records an executed copy of the Agreement between Aguirres and Cantrells, to settle their differences. This Agreement is executed as a follow up upon the hearing which you held at the Elmore County Court House on April 10, 1991.

Very truly yours,

Perce Hall
Perce Hall

PH:jd
Enclosure

JUL 15 1991

RECEIVED

MAY 8 1991

Department of Water Resources
Western Regional Office

AGREEMENT PERTAINING TO WATER RIGHTS

AGREEMENT made this 10th day of April, 1991, between AGUIRRE & SONS, a partnership doing business as Basque Ranches, of 315 East 5th North, Mountain Home, Idaho, herein designated as Aguirres, and IVAN E. CANTRELL and ROBERTA N. CANTRELL, husband and wife, of 220 East 10th North, Mountain Home, Idaho, and J. C. Cantrell and Thelma Cantrell, husband and wife, of 335 West 15th South, Mountain Home, Idaho, WITNESSETH:

RECITALS:

Aguirre & Sons is a partnership doing business under the assumed business name of Basque Ranches, and the partnership consists of Domingo M. Aguirre and Felipe Aguirre. Aguirres own Idaho Water License No. 8456, with a priority date of June 6, 1912, for the use of water from a horizontal well and tunnel, commonly known as the Frazier Tunnel, located in the Northeast Quarter of the Southwest Quarter of Section Thirteen, Township Three South, Range Six East, Boise Meridian.

Ivan E. Cantrell and wife have filed Application No. 61-07577 with the Idaho Department of Water Resources and J. C. Cantrell and Thelma Cantrell, husband and wife, have filed Application No. 61-07647 with the Idaho Department of Water Resources. Both Cantrell applications are for the use of excess water from the Frazier Tunnel, which is the same source of water claimed by Aguirres.

JUL 15 1991

Aguirres have filed a protest to the two applications described above by Cantrells and the protests came on for hearing before a hearing officer of the Idaho Department of Water Resources on April 10, 1991, at the courthouse in Mountain Home, Elmore County, Idaho, at which hearing all parties were present. After discussion before the hearing officer, the parties hereto have agreed to resolve their differences upon the following terms and conditions:

AGREEMENT

1. All parties recognize and agree that Aguirres have a water license No. 8456 to use the water developed from or discharged from the said Frazier Tunnel for irrigation of that part of the land owned by Aguirres and located North of Interstate 80 and described as approximately 34 acres in the Southeast Quarter of the Southwest Quarter of Section Thirteen, Township Three South, Range Six East, Boise Meridian, and also the right to use said water for stock water and that Aguirres' rights under said license are senior to and prior to the rights of Cantrells under their applications described above.

2. Subject to Aguirres' prior right, Cantrells shall have the right to use the water claimed by them under their respective applications, the point of diversion of which shall be in the existing ditch which flows through or by each applicant's property and the water shall be diverted from the ditch by pumps to be placed in the ditch by each applicant.

JUL 15 1991

3. This agreement does not give Cantrells an easement over Aguirres' property nor the right to enter upon Aguirres' property without Aguirres' permission.

4. It is recognized by the parties hereto that during some years Aguirres may not use the water produced from the Frazier Tunnel for irrigation purposes. If the water is used by Aguirres for irrigation purposes, there may be no water or insufficient water for Cantrells' irrigation of a crop upon their land. Therefore, so that the water will be put to beneficial use and not be wasted, Aguirres agree to notify Cantrells on or before March 15 of any year during which Aguirres do not intend to use said water for irrigation, so that Cantrells will be in a position to plant a crop or otherwise use said water during that year.

5. It is agreed that by allowing Cantrells to use said water during any year, Aguirres are not permanently waiving their first right to the use of said water except for the year during which they agree that they are not going to use the water for irrigation.

6. Based on this agreement, Aguirres hereby withdraw their protest to the applications filed by Cantrells and described above with the understanding that any permits issued thereunder will be subject to all prior water rights.

15 1391

IN WITNESS WHEREOF, said parties have hereunto set their hands the day and year in this agreement first above written.

AGUIRRE & SONS, a partnership
doing business as Basque Ranches

By *Domingo M. Aguirre*
Domingo M. Aguirre

By *Felipe Aguirre*
Felipe Aguirre

Ivan E. Cantrell
Ivan E. Cantrell

Robert N. Cantrell
Robert N. Cantrell

J. C. Cantrell
J. C. Cantrell

Thelma Cantrell
Thelma Cantrell

STATE OF IDAHO,)
) ss.
COUNTY OF ELMORE,)

On this 30th day of April, in the year 1991, before me, the undersigned, a Notary Public in and for said State, personally appeared DOMINGO M. AGUIRRE and FELIPE AGUIRRE, known to me to the partners of the partnership known as Basque Ranches, and the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said partnership name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

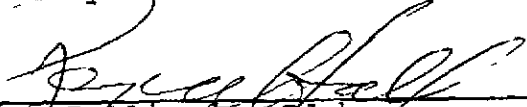
[Signature]
Notary Public for Idaho
Residing at Mountain Home, Idaho

1991

STATE OF IDAHO,)
) ss.
COUNTY OF ELMORE,)

On this 7th day of May, in the year 1991, before me, the undersigned, a Notary Public in and for said State, personally appeared IVAN E. CANTRELL and ROBERTA N. CANTRELL, husband and wife, and J. C. CANTRELL and THELMA CANTRELL, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and ~~years~~ in this certificate first above written.



Notary Public for Idaho
Residing at Mountain Home, Idaho

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATIONS	)	
	)	NOTICE OF CONFERENCE
FOR PERMIT NOS. 61-7577 AND	)	
	)	
61-7647 IN THE NAME OF IVAN E.	)	
	)	
&/OR ROBERTA N. CANTRELL AND J. C.)	)	
	)	
<u>&/OR THELMA CANTRELL</u>	)	

On June 12, 1986 and July 2, 1990, Ivan &/or Roberta N. Cantrell and J.C. &/or Thelma Cantrell filed with the Department of Water Resources two applications for permit to appropriate the public waters of the State of Idaho. The applications were protested by Domingo Aguirre.

The Department has set the matters of protest for a conference on Wednesday, April 10, 1991, at 10:00 a.m., in the Elmore County Courthouse, 150 S. 4th St. E., Mountain Home, ID 83647. The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources, and Rules 4 and 5 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources. Opportunity shall be

JUL 15 1991

afforded all parties to respond and present information and argument on all issues involved.

Dated this 25th day of March, 1991.

Steve Lester for
DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

I hereby certify that on the 25th day of March, 1991, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:

Sue Taylor
Sue Taylor, Secretary

Certified Mail

Ivan &/or Roberta Cantrell
220 E. 10th N.
Mountain Home, ID 83647

J.C. &/or Thelma Cantrell
335 W. 15 S.
Mountain Home, ID 83647

Domingo Aguirre
315 E. 5th N.
Mountain Home, ID 83647

INTER-DEPARTMENT MEMO — 1

FROM JOHN W

DATE 11-29-90

TO Sue Taylor #

SUBJECT Protested Applications # 61-7577, 61-07647

Mr Cantrell stopped to say they would still like to proceed with the applications, and would like a conference to be rescheduled to resolve the protest. He requested the conference include both rights listed above as they are related.

JUL 13 1991

JW

SIGNATURE



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

October 30, 1990

CECIL D. ANDRUS

Ivan E. &/or Roberta N. Cantrell
2650 N. 3rd E.
Mountain Home, ID 83647

GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Re: Application to Appropriate Water No. 61-7577

Dear Mr. & Mrs. Cantrell:

NOTICE OF PENDING ORDER REJECTING APPLICATION

On June 12, 1986, you filed with the Department of Water Resources an application to appropriate water, no. 61-7577 to provide water for irrigation located within Sec. 13, T3S, R6E, B.M.

The application was protested by Domingo Aguirre and scheduled for a conference on September 28, 1990.

On September 27, 1990, the department spoke with you telephonically and a Withdrawal of Permit form was sent to you. Since that time we have had no further communication from you.

The purpose of this letter is to request that you withdraw your application or explain why the Department should not reject your application. Enclosed is a withdrawal form that should be signed and returned to me, unless you have an explanation that would prevent the Department from rejecting your application.

If you fail to respond to this inquiry within thirty (30) days from the date of this letter, the Department will act to reject your application. The application will be rejected on the grounds that it is speculative in that you are not prepared to conduct a conference and/or hearing to resolve the protest on the application.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:st

Enclosure

I hereby certify that on this 1st day of November, 1990, I sent the original copy of this letter, postage prepaid, to the person and address listed above.

Sincerely,

Sue Taylor
Secretary

NOV 15 1990



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

September 27, 1990

J.C. Cantrell
335 W. 15 S.
Mountain Home, ID 83647

Re: Applications for Permit of Water Right Nos. 61-7647 in the Name of J.C. Cantrell and 61-7577 in the name of Ivan E. &/or Roberta N. Cantrell

Dear Mr. Cantrell:

Per our phone conversation this morning, I am sending you a withdrawal form for above-referenced application no. 61-7647. Please sign the form and return it to this office. Also, by copy of this letter I am sending a withdrawal form to Ivan & Roberta Cantrell for application no. 61-7577. When these forms are returned to this office we will remove the applications from our records.

If you have any questions concerning this matter, please contact this office.

Sincerely,

A handwritten signature in cursive script that reads "David R. Tuthill, Jr.".

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT:st

CC: Ivan &/or Roberta Cantrell
Domingo Aguirre

1034

P-581 149 808

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED

NOT FOR INTERNATIONAL MAIL

(See Reverse)

U.S.G.P.O. 153-506

PS Form 3800, June 1985

Sent to

Ivan Cantrell

220 E. 10th N.

Mountain Home, ID

P.O. State and ZIP Code

Postage

\$

.29

Certified Fee

1.00

Special Delivery Fee

Restricted Delivery Fee

Return Receipt showing
to whom and Date Delivered

Return Receipt showing to whom
Date and Address of Delivery

Total Postage and Fees

\$ 2.19

Postmark or Date

JUL 15 1991

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JUL 15 1991

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address, leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article a **RETURN RECEIPT REQUESTED** and place it in the letter enclosure
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, enter applicable blocks in item 1 of Form 3811
6. Save this receipt and present it if you make a inquiry

**2735 Airport Way
Boise, Idaho 83705**

Sent to 2650 N 3rd E 836417
mtm Home. 8-23-90
st

$$L_{\text{eff}} = L_0 + \frac{\alpha}{\beta} \ln \left(\frac{L_0}{\lambda_D} \right)$$

AUG 22 1964



JUL 15 1991

CAN1220 436472011 14- 08/18/90
RETURN TO SENDER
NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATIONS)
FOR PERMIT NOS. 61-07647 IN THE)
NAME OF J.C. &/OR THELMA CANTRELL)
AND 61-07577 IN THE NAME OF)
IVAN E. &/OR ROBERTA N. CANTRELL)

NOTICE OF CONFERENCE

Delayed

On June 6, 1986, Ivan E. &/or Roberta N. Cantrell filed with the Department of Water Resources, and on July 2, 1990, J. C. &/or Thelma Cantrell filed with the Department, applications for permit to appropriate the public waters of the State of Idaho. The applications were protested by Domingo Aguirre.

The Department has set the matters of protest for a conference on Friday, September 28, 1990, at 10:00 a.m., in the Elmore County Courthouse, 150 South 4th St. E., Mountain Home, Idaho. The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources, and Rules 4 and 5 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present information and argument on all issues involved.

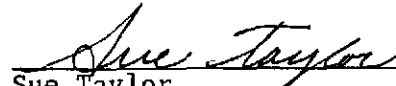
Dated this 10th day of September, 1990.

David R. Tuthill
DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

MICROFILMED

JUL 15 1991

I hereby certify that on the 11th day of September, 1990, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:


Sue Taylor
Secretary

Certified Mail

Ivan E. &/or Roberta N. Cantrell
2650 N. 3rd E.
Mountain Home, ID 83647

J. C. &/or Thelma Cantrell
334 W. 15 St.
Mountain Home, ID 83647

Domingo Aguirre
315 E. 5th N.
Mountain Home, ID 83647

INDEXED
FILED

JUL 15 1991

CONFERENCE INFORMATION

IN THE MATTER OF APPROVAL OF AN APPLICATION FOR PERMIT

In accordance with Idaho Code, Section 42-203(A), the following issues are involved in the consideration of the application and protest(s):

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

The intent of the conference is to resolve any conflicts regarding the proposed water appropriation in light of these five factors. The conference will not be recorded in an effort to promote full discussion of the issues. Possible resolutions are: (1) clarification of the issues resulting in a determination by all parties that the application is acceptable, (2) modification of the application to make it acceptable to the protestant(s), or (3) addition of acceptable restrictions or conditions of approval. If a resolution is not attainable, then a hearing will be set by the Department.

JUL 15 1991

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AUG 07 1990

Department of Water Resources
Western Regional Office

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AUG 3 1990

Department of Water Resources

315 E. 5th N.
Mountain Home, Idaho 83647
August 3, 1990

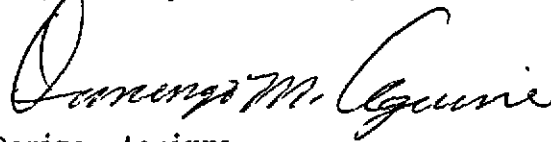
Mr. R. Keith Higginson, Director
Department of Water Resources
1301 N. Orchard
Boise, Idaho 83706

Dear Mr. Higginson:

Please consider this letter as a formal protest against the approval of applications for water rights 61-07577 and 61-07647. Development of these permits is protested for the following reasons:

1. Development may interfere with existing water rights held by myself.
2. The water supply is insufficient for the purposes described.
3. The point of diversion as described in the public notice is not owned by the applicant but by myself.

Respectfully submitted,



Domingo Aguirre

DA:kje

JUL 15 1991



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

August 10, 1990

Ivan E. &/or Roberta N. Cantrell
220 E. 10th N.
Mountain Home, ID 83647

Re: Application for Permit No. 61-7577

Dear Applicant:

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to the above-referenced application. The Department suggests that you contact the protestant(s) and attempt to resolve the protest(s).

If this office has not been advised within twenty (20) days that the protest(s) has been resolved, the matter will be scheduled for a conference. At such a conference, the following are the principle items the Department will review (per Section 42-203, Idaho Code):

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

Please contact this office if you have questions regarding this procedure.

Sincerely,

A handwritten signature in cursive script that reads "David R. Tuthill, Jr.".

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

Enclosure: Copy of protest(s)

JUL 11 1990



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

August 10, 1990

Domingo Aguirre
315 E. 5th N.
Mountain Home, ID 83647

Re: Application for Permit No. 61-7577 in the Name of Ivan E. &/or Roberta N. Cantrell and No. 61-07647 in the Name of J.C. &/or Thelma Cantrell

Dear Protestant:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application. The Department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference. At such a conference, the following are the principle items the Department can consider in either approving or denying an application or permit (Section 42-1203, Idaho Code):

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

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

Sincerely,

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT/st

JUL 15 1990

NOTICE OF APPLICATIONS
FOR WATER RIGHTS

The Following applications have
been filed to appropriate the public wa-
ters of the State of Idaho:

61-07577 *st*
CANTRELL, ROBERTA N.
CANTRELL, IVAN E.
220 E. 10TH N.
MOUNTAIN HOME, IDAHO
836470000

Source: SPRING; Tributary: SINKS
Diversion Pt: SWNESW Sec. 13 T
03S R 06E; SENESW Sec 13 T 03S R
06E

Use: IRRIGATION (.090 CFS);
STOCKWATER (.020 CFS); RECREA-
TION (.090 CFS); Total Diversion:
(.090 CFS)

Date Filed: 6/12/1988
In: T03S R06E S13 NWSW SWSW
3.0 ACRES TOTAL

61-07847
CANTRELL, J.C.
CANTRELL, THELMA
335 W. 15 S.
MOUNTAIN HOME, IDAHO 83647
Source: SPRING; Tributary: SINKS
Diversion Pt: SWNESW Sec 13 T
03S R 06E; SENESW Sec 13 T 03S R
06E

Use: IRRIGATION (.090 CFS); IRRI-
GATION STORAGE (.30 AF); IRRIGA-
TION FROM STORAGE (.30 AF);
STOCKWATER (.020 CFS); STOCK-
WATER STORAGE (.30 AF); RECREA-
TION (.090 CFS); RECREATION
STORAGE (.30 AF); Total Diversion:
(.090 CFS), (.30 AF)

Date Filed: 7/2/1990
In: T03S R06E S13 SWSW
3.0 ACRES TOTAL

The permits will be subject to all
prior water rights. Protests must be
filed with the Director, Dept. of Water
Resources, Western Region, 2735 Air-
port Way, Boise, Idaho 83705 on or be-
fore AUGUST 8, 1990.

R. KEITH HIGGINSON, Direc-
tor
Published 7/18/1990 & 7/25/1990.

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Mike Thornberry, do
solemnly swear that I am the foreman, or
publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation,
published once a week at MOUNTAIN HOME,
IDAHO, that the notice attached hereto and
which is a part of the proof of publication
thereof, was published in said newspaper for

2 consecutive weeks, the first publica-
tion having been made on the 18th day
of July, 1990, and

the last publication having been made on the
25th day of July,
1990; every Wednesday issue of the paper

during the period and time of publication and
that the notice was published in the newspaper
proper and not in a supplement thereof.

And I further swear that the said MOUN-
TAIN HOME NEWS has been continuously and
uninterruptedly published in said Elmore County
during a period of 78 consecutive weeks prior
to the first publication of the attached notice.

Mike Thornberry
Subscribed and sworn to me this 31st
day of July, 1990

Clifford S. Swa
Notary Public

RECEIVED
AUG 01 1990

Department of Water Resources
Western Regional Office

MICROFILMED
JUL 5 1 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region
2735 AIRPORT WAY

Boise, Idaho 83705
(208) 334-2190

JULY 11, 1990

Mountain Home News
Drawer O
Mountain Home, ID 83647

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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 AUGUST 6, 1990.

Yours truly,

GAIL GARRETT
Secretary

Encl.

RECEIVED

JUL 15 1991

61-07577

CANTRELL, ROBERTA N.
CANTRELL, IVAN E.
220 E. 10TH N.
MOUNTAIN HOME, ID 836470000

Source: SPRING

Tributary: SINKS

Diversion Pt: SWNESW Sec 13 T 03S R 06E
 SENESW Sec 13 T 03S R 06E

Use: IRRIGATION (.090 CFS)
 STOCKWATER (.020 CFS)
 RECREATION (.090 CFS)
 Total Diversion: (.090 CFS)

Date Filed: 6/12/ 1986

In: T03S R06E S13 NWSW SWSW

3.0 ACRES TOTAL

15 1991

MEMORANDUM

TO: APPLICATIONS 61-07577, 61-07647, 61-07648, AND LICENSE 61-02033
FROM: STEVE LESTER
DATE: JULY 9, 1990
RE: SOURCE AND ACRES

On 7/2/90, Ivan and J.C. and Thelma Cantrell of Mtn. Home visited the office to discuss water rights in the Mtn. Home area. I learned that the diversion proposed in the above applications is the same one found in license 61-02033. The point of diversion is located in the S 1/2 of NESW S. 13. The water runs from a tunnel system into a ditch that flows SW and then W through the S 1/2 of SW 1/4, S. 13.

61-02033 may be an abandoned right. The Cantrells stated that at least five consecutive years of nonuse occurred. The diversion is located on land owned by the Aguirre's of Basque Ranches. The Cantrells told me that the Aguirres urged them to file on the source since it is not used. However, an adjudication claim was filed on 61-02033 (copy attached). The validity of the right will be determined in the SRBA. From the orthophotoquad, the P/U in 61-02033 does not appear irrigated (August, 1974 photo).

See Attachment A for an outline of acres covered by the various rights. 61-07647 relates to three acres in the SWSW also described in the license. 61-07648 includes nine acres in the SESW and about 10 to 15 acres in the SWSW also found in the license. The Cantrells did not want to pursue the license and are convinced that 61-02033 is no longer valid. The validity of 61-02033 concerns applications 61-07647 and 61-07648 because common acres between the license and applications are involved. The Department could decide not to approve additional water in excess of 0.02 cfs/acre from the same diversion for common acres. On the other hand, if the validity of the license is questionable, any approved application for common acres from the same diversion could be conditioned to total no more than 0.02 cfs/acre when combined.

The source of water is somewhat vague and may involve GWMA issues. The license was issued for ground water that was shown as a subterranean stream on the license. The proof of b.u. and the field exam describe a tunnel development to supply water to conduits. It could be argued that the source is either ground water (but not a well) or a spring conveying water through the tunnel(s). The Department has recognized springs associated with mining tunnels in similar situations. The Cantrells described the water as spring water as opposed to an unnamed stream shown on application 61-07577. Their description was provided prior to any discussion of GWMA concerns. Based on a discussion with Dave Tuthill, it appears that the original appropriation involved ground water, but the proposed appropriations suggest surface water (spring currently flowing at the land surface). Due to the earlier development, ground water provided surface water. Based on the above, I think that the source can properly be described as a spring. The diversion consists of spring water delivered to a constructed ditch via the tunnel development. Pumps will be used along the ditch in the SWSW for the uses in the three applications.

JUL 15 1991

Therefore: License 61-02033 is a ground water appropriation that may be partially or completely abandoned. The three applications involve surface water that exists due to the development in 61-02033. The applications involve the same diversion but for different acres in each application.

1) 61-07577 was revised as shown. The proposal includes a pond 40'x25'x5' = 0.1 a.f.; 0.09 cfs yields 0.2 a.f. in 24 hrs., storage not needed on application. The application can be processed out of sequence @ trust water since the uses fall within DCMI including ≤ 3 acres @ a home. The P/U is unrelated to 61-02033.

2) 61-07647 includes 3 acres in the SWSW situated SE of 61-07577 P/U. A pond 75'x40'x5' = 0.3 a.f. is involved in the SWSW; 0.09 cfs yields 0.2 a.f. in 24 hrs., storage is required on application. The application can be processed out of sequence @ trust water since the uses fall within DCMI including ≤ 3 acres @ a home. The P/U overlaps with 61-02033.

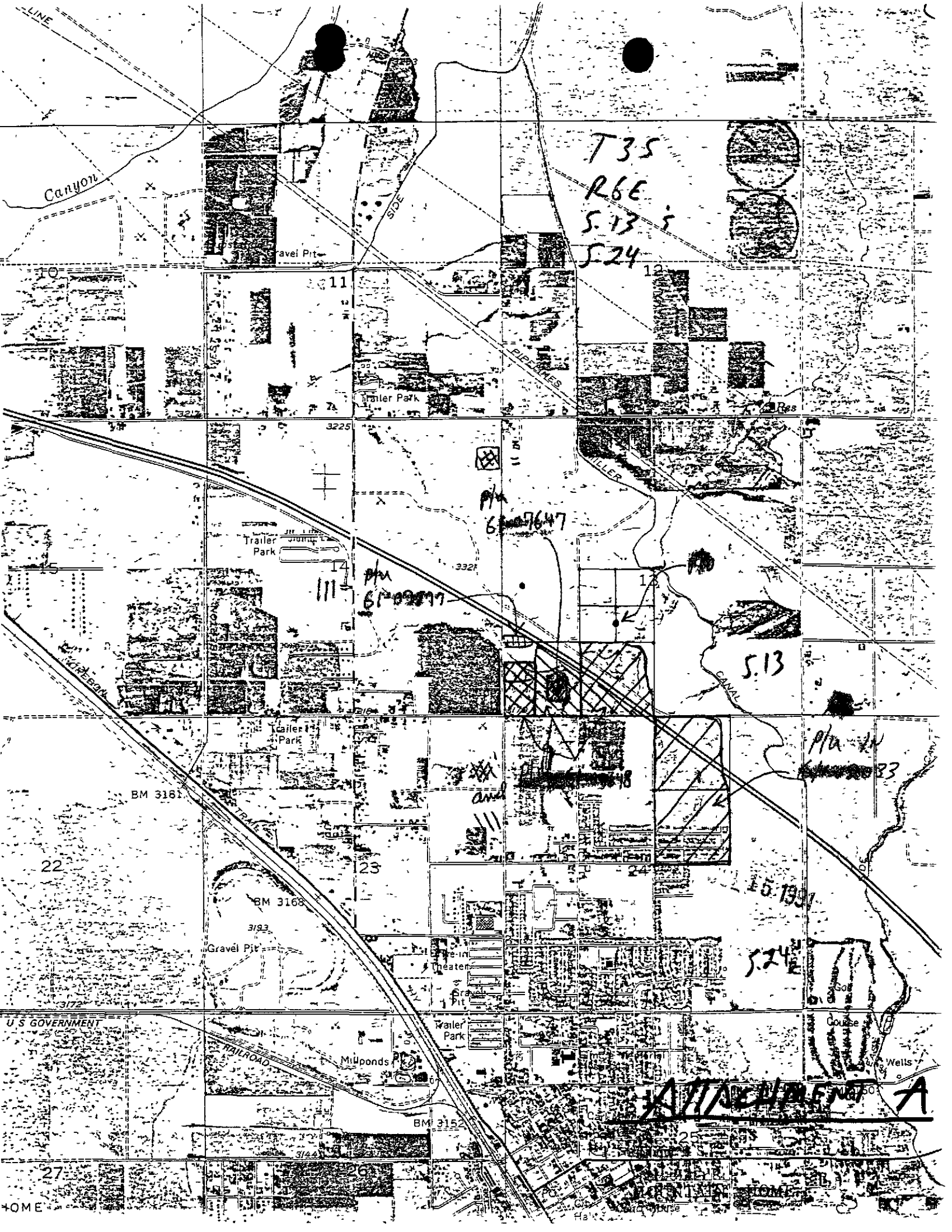
3) 61-07648 proposes the spring and runoff (runoff to be collected in the SESW in a pond < 0.7 a.f.); a pond volume of 0.3 a.f. in SWSW and 0.7 a.f. in SESW will provide ≤ 1.0 a.f.; storage is not required since 0.56 cfs yields 1.1 a.f. in 24 hours. 19 acres in the SWSW will surround the 3 acres of 61-07647 and will be S and SE of the 3 acres in 61-07577. 9 acres south of I-84 in the SESW will be irrigated. The application is subject to trust water delays and requires a trust water letter to be sent to the applicants. All of the acres in SESW and most of the acres in SWSW are also described in 61-02033.

CC: State Office File 61-02033

Western Adjudication File for 61-02033 (no data entry yet)

RECEIVED

JUL 15 1991



T35
R6E
S.13
S.24

61-07647

61-02877

5.13

15-1391

5.24

ATTACHMENT A

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

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

CIVIL CASE NUMBER: 39576

Ident. Number

Date Received

Receipt Number

1-8-90

W0007430

Should questions arise during
the processing of this applica-
tion please contact:

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
JAN 08 1990

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Basque Ranches Phone (208) 587 3604
Mailing Address 315 E 5^N Mtn Home Id Zip 83647

2. Date of Priority (Only one (1) per claim) 6-6-12

3. Source of water supply (a) Ground water
which is tributary to (b) N/A

4. a. Location of existing point of diversion is: Township 35 Range 6E Section 13,
1/4 of NE 1/4 of SW 1/4, Govt. Lot, B.M., County of Elmore

Additional points of diversion if any: None

b. If instream flow, beginning point of claimed instream flow is: N/A

Township Range Section , 1/4 of 1/4 of 1/4,

Govt. Lot B.M., County of

ending point is: Township Range Section , 1/4 of 1/4 of

 1/4, Govt. Lot B.M., County of

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Horizontal well into water
table - Tunneling techniques used - open ditches to
irrigated fields

for the following purpose:

(both dates are inclusive)

(s)

(acre feet)

For Irrigation purposes from 3-15 to 11-15 amount 2.56 or 512

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.56 (cfs) and/or (b) 512 (acre feet)

8. Total consumptive use claimed is 384 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) None

10. 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 use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3S	6E	13											22	34					56
		24		32	40														72

Total number of acres irrigated 128

11. In which county (ies) are lands listed above as place of use located? Elmore

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

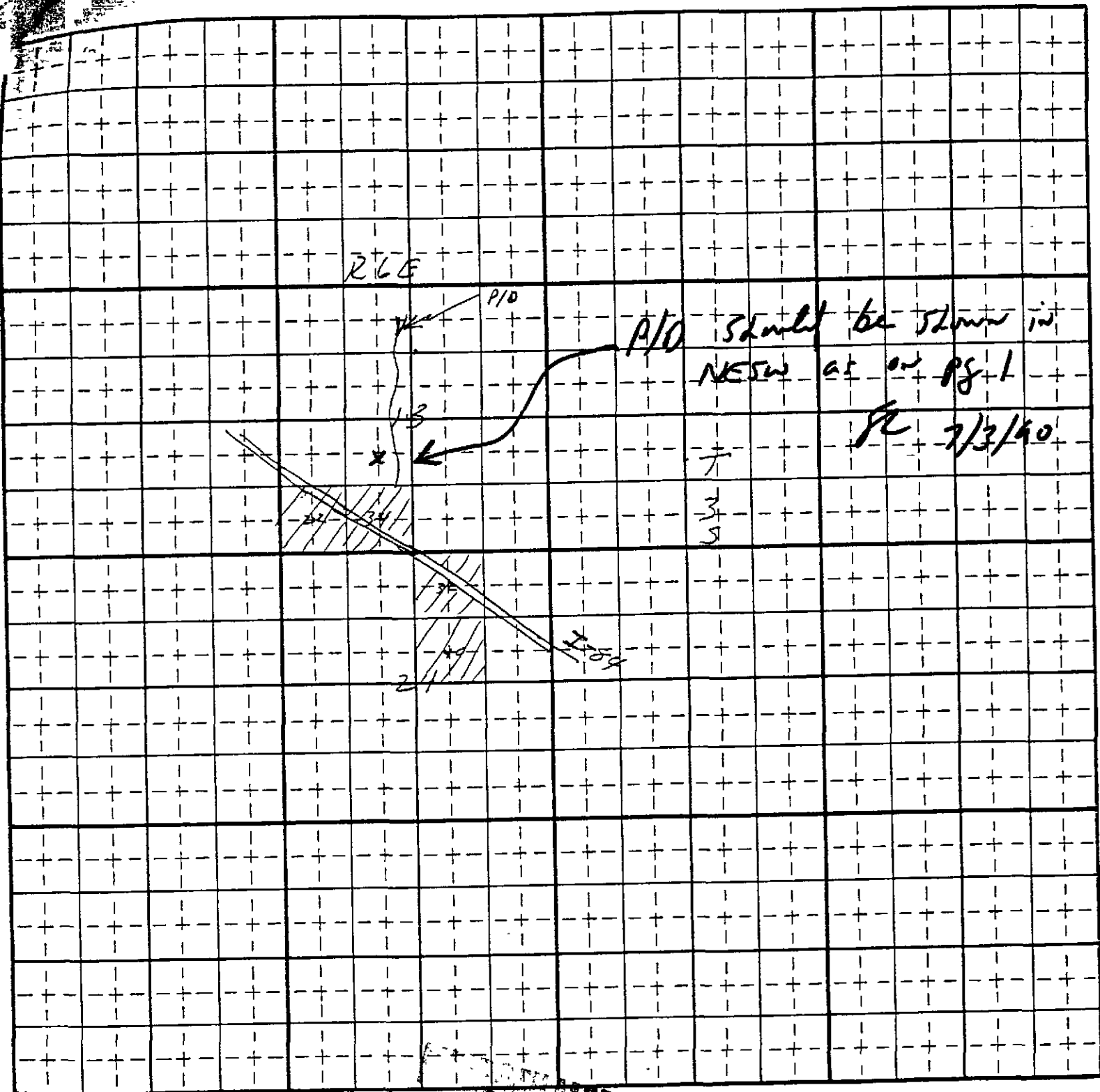
13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks:

Last Name Basque Ranches Ident No. _____

Copies: White -State, Yellow-Claimant

Now clearly the point of conversion, place of use, section number, township, and range number.
inches equals 1 mile



JUL 15 1991

Last Name Busque Ranches Ident No.

Copies: White-State, Yellow-Claimant

(check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____

Applicable provide IDWR Water Right Number 68-2033

Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments 0

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Manager Title _____

of Basque Ranches Organization _____, that I have signed the foregoing

document in the space below as Manager Title _____ of Basque Ranches Organization _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent x [Signature]

Title and Organization Manager - Basque Ranches Date 1/2/90

State of Idaho/or _____)
County of Ada) SS.

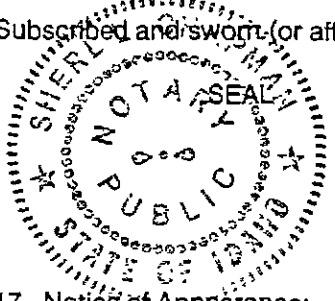
Subscribed and sworn (or affirmed) before me this 2 day of January 19 90

Notary Public Sheryl Chapman

Residing at 2889 Cobble Way Marsden Id

My Commission Expires 6/14/94

Please Print Name Sheryl Chapman



17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

FILED
JAN 15 1991

Last Name Basque Ranches Ident. Number _____

Copies White-State, Yellow-Claimant

Department of Water Resources

Nº 40353

Boise, Idaho, June 11, 1986

RECEIVED FROM Mona-Lloyd Johnson of SLC, UT \$ 50.00
July 10/90 DOLLARS

App. Fee	\$	50	00
6/10/89	\$		
6/11/89	\$		
6/11/89	\$		
TOTAL	\$	50	00

W. H. Huthway

STATE OF IDAHO

Department of Water Resources

Nº 40354

Boise, Idaho, 4/12, 1986

RECEIVED FROM Diana C. Cantrell of Mt. View, ID \$ 30.00
July 10/90 DOLLARS

App. Fee	\$	30	-
6/10/89	\$		
6/11/89	\$		
6/11/89	\$		
TOTAL	\$	30	-

CK. No. 22-7008
3241Jan. Shute

STATE OF IDAHO

Department of Water Resources

Nº 40355

Boise, Idaho, 6/13, 1986

RECEIVED FROM Charles A. Lucas of Shuman, ID \$ 30.00
July 10/90 DOLLARS

App. Fee	\$	30	-
6/10/89	\$		
6/11/89	\$		
6/11/89	\$		
TOTAL	\$	30	-

C11511Jan. Shute

STATE OF IDAHO

Department of Water Resources

Nº 40356

Boise, Idaho, 6/16, 1986

RECEIVED FROM William + Helmut L. G. Thumler of Idaho, ID \$ 50.00
July 10/90 DOLLARS

App. Fee	\$	50	-
6/10/89	\$		
6/11/89	\$		
6/11/89	\$		
TOTAL	\$	50	-

Acct No. 0620130-1258CK. No. 24-12/350
1230Jan. Shute

JUL 5 1991

FILED

No \$50.00
 proof B.W.
 paid, Applicant
 thought he had
 paid this
 during original
 application period
 when appl.
 was filed.

SL
 7/10/90

Called Applicant
 to notify about
 this.



State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

Cecil D. Andrus
Governor

2735 Airport Way
Boise, Idaho 83705
(208) 334-2266

61-7577
CANTRELL, ROBERTA N.
CANTRELL, IVAN E.
220 E. 10TH N.
MOUNTAIN HOME, ID 83647

March 13, 1987

Dear Applicant:

The above-referenced application was received, given an initial review and has been on hold pending the Swan Falls Idaho Power water rights problem.

At this time we are still unable to complete our processing of applications that have points of diversion from either groundwater or surface water that are located hydraulically upstream from Swan Falls Dam and downstream from Milner Dam on the Snake River. Water diverted under these applications is considered to be "Trust Water" under provisions of a new statute and rules and regulations that have been developed in response to the Swan Falls water rights controversy. Until the Federal Energy Regulatory Commission (FERC) approves the Swan Falls Agreement, applications such as yours are being held and not processed. FERC has been ordered by the President and Idaho's Congressional Members to act as quickly as possible on this decision.

Another delay in your application is due to its location falling within the Mountain Home Groundwater Management Area. Designation as a groundwater management area means that the Department will consider the approval of additional groundwater withdrawals only if the applicant can show that there is water available for a specific project. Thus, each application in the area will be considered on an individual basis to determine what potential impacts may occur to the groundwater aquifer and to other existing water rights if the proposed use is begun. Once FERC acts on the above mentioned agreement and processing begins on your application, you will be given the opportunity to show that your proposed use will neither adversely affect existing water rights, nor cause or contribute to a further decline in the groundwater levels of your area. You may wish to hire a qualified groundwater hydrologist to conduct a study at that time and submit a report to our office.

We will keep you updated as to when any action can be taken by our Department. Please contact us if you have any questions.

Sincerely,

Jan Shurte

Jan Shurte
Sr. Water Resource Agent

JUL 5 1 1991

JS:jp

61-7577

Cantrell, Ivan E. &/or
CANTRELL, ROBERTA N.

220 E. 10TH N., MOUNTAIN HOME, ID 83647

Source: UNNAMED STREAM trib. to SINKS

Diversion Pt: NWSWSW Sec 13 T 03S R 06E

Use: IRRIGATION	(0.090 CFS)
STOCKWATER STORAGE	(0.5 AF)
STOCKWATER FROM STORAGE	(0.5 AF)
RECREATION STORAGE	(0.5 AF)

Date Filed: 06/12/1986

In: SMSW Sec 13 T 03S R 06E FOR 3 ACRES

1991