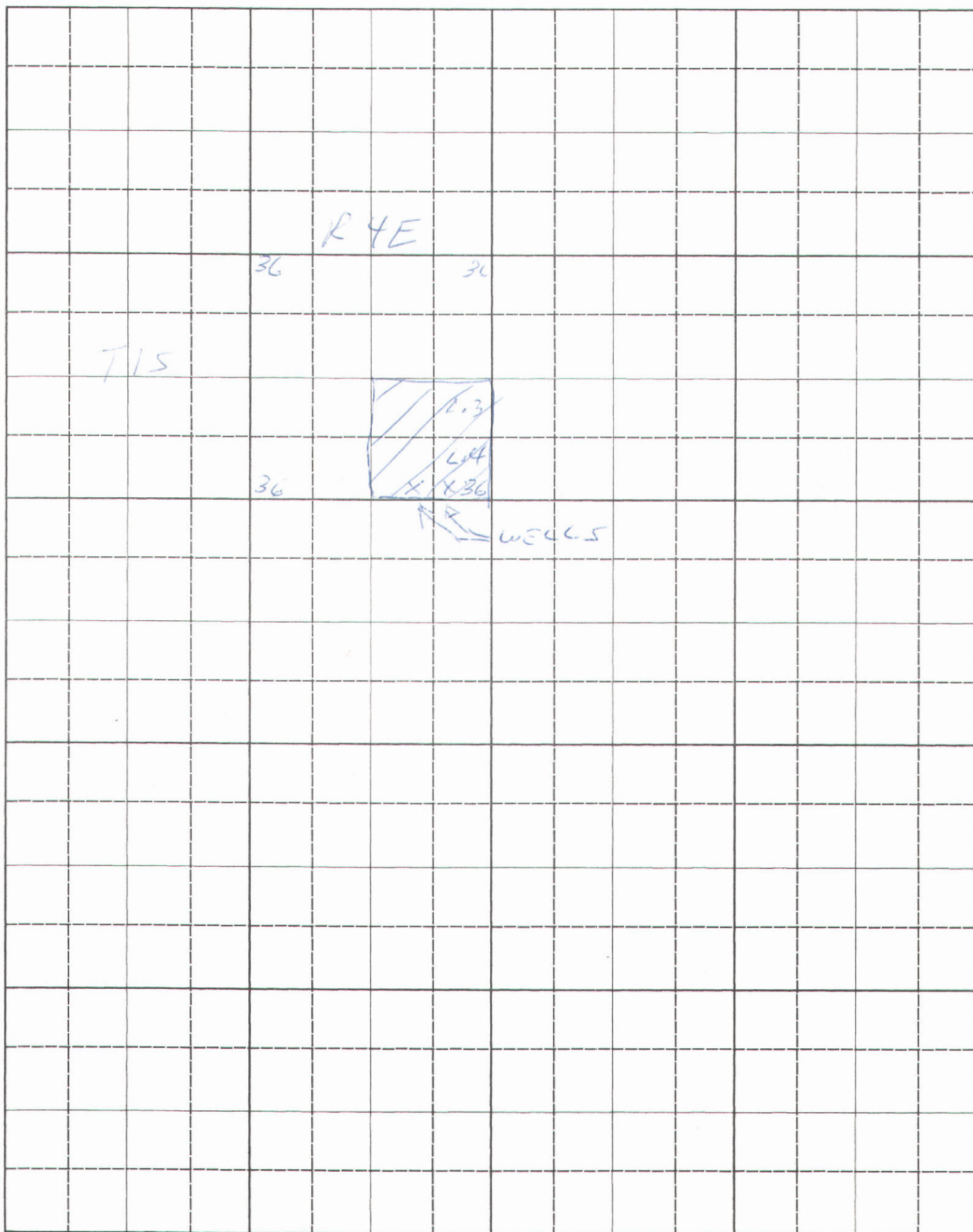


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

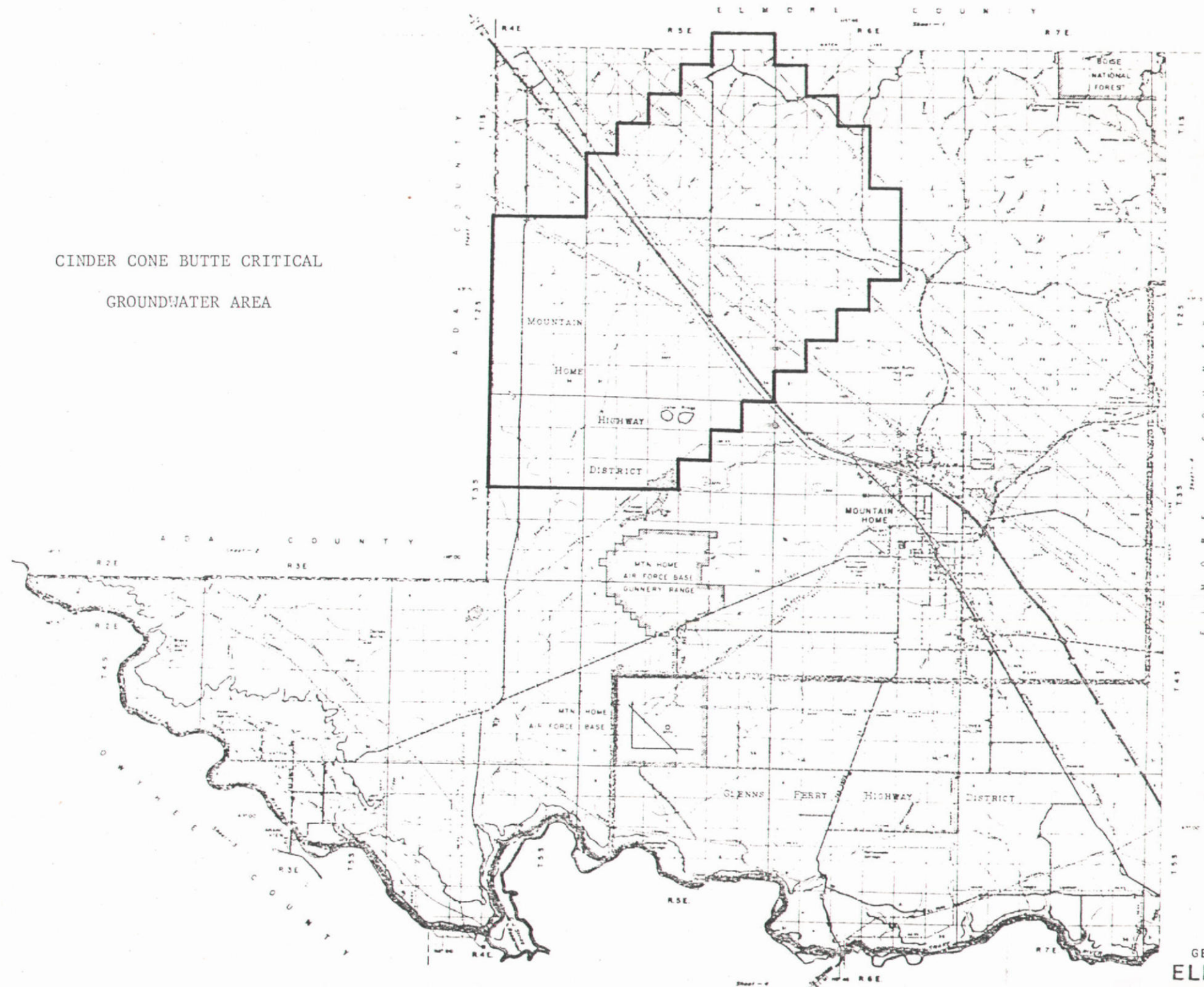


Scale: 2 inches equal 1 mile.

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

Wayne Russell
(Applicant)

CINDER CONE BUTTE CRITICAL
GROUNDWATER AREA



MICROFILMED

GENERAL HIGHWAY MAP
ELMORE COUNTY
IDAHO

NOTICE OF APPLICATIONS FOR WATER RIGHTS

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

02-7301

WILLIAMS, DUANE B.
5110 SORRENTO DR., BOISE, ID
83704

Source: SNAKE RIVER
Date Filed: 06/11/1980
Amount: 1.92 CFS
Diversion Point: LOT 02 Sec T 05S R
10E, ELMORE Co.
Use: IRRIGATION (1.92 CFS) from
04/01 to 10/15

Place of Use: NWNE SWNE LOT 02
(SENE) NESW NWSW SWSW NESE
NWSE Sec 23 T 05S R 10E NESE
SWSE Sec 14 T 05S R 10E LOT 11
(SESE) Sec 22 T 05S R 10E FOR 96
ACRES

Diversion Means: PUMP,
PIPELINE AND SPRINKLER
SYSTEM.

61-7403

RUSSELL, WAYNE &/or BOB D.
211 E. 42 ST., BOISE, ID 83704
Source: GROUNDWATER
Date Filed: 06/02/1980
Amount: 2.74 CFS
Diversion Point: SWSE LOT 04 Sec
36 T 01S R 04E, ELMORE Co.
Use: IRRIGATION (2.66 CFS) from
03/15 to 11/15; DOMESTIC (0.08 CFS)
from 01/01 to 12/31

Place of Use: LOT 03 (NESE) NWSE
SWSE LOT 04 (SESE) Sec 36 T 01S R
04E FOR 133 ACRES

Diversion Means: WELLS, PUMPS
AND SPRINKLERS.

63-9391

EICHMANN, GORDON H. &/or
VERNA V.
P.O. BOX 102, ATLANTA, ID 83601
Source: QUARTZ GULCH CREEK
tributary to BOISE RIVER, MIDDLE
FORK

Date Filed: 06/06/1980
Amount: 0.08 CFS
Diversion Point: SWNE Sec 03 T
05N R 11E, ELMORE Co.
Use: DOMESTIC (0.08 CFS) from
01/01 to 12/31

Place of Use: SWNE Sec 03 T 05N R
11E

Diversion Means: PUMP,
PIPELINE AND CISTERN.

If issued, the permits will be subject
to all prior water rights. Protests
against the granting of any permit
must be filed with the Director of the
Idaho Department of Water Resources,
92 S. Cole Road, Boise, Idaho 83709 on
or before JULY 7, 1980.

C. STEPHEN ALLRED
Director

Published 6/19 & 6/26/80.

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Vivian M. Waters 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 ...19... day

of ...June..., 1980 and

the last publication having been made on the

...26... day of ...June...

1980...; every Thursday 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.

Vivian M. Waters

Subscribed and sworn to me this 26...

day of ...June..., 1980

Martha L. Swann

Notary Public

RECEIVED

JUN 30 1980

Idaho Department of Water Resources
Western Regional Office

NOT RECORDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

1. Owner: Wayne and/or Bob D. Russell

Permit No. 61-7403

Phone No. 375-9401

Current Address: 211 E. 42 St.

Borsi, Id 83714

2. Accompanied by: NO ONE AVAILABLE

EXAM. DATE: 11/16/87

Address: _____

Phone No. _____

Relationship to Permit Holder: _____

3. Source: Groundwater tributary to —

B. OVERLAP REVIEW

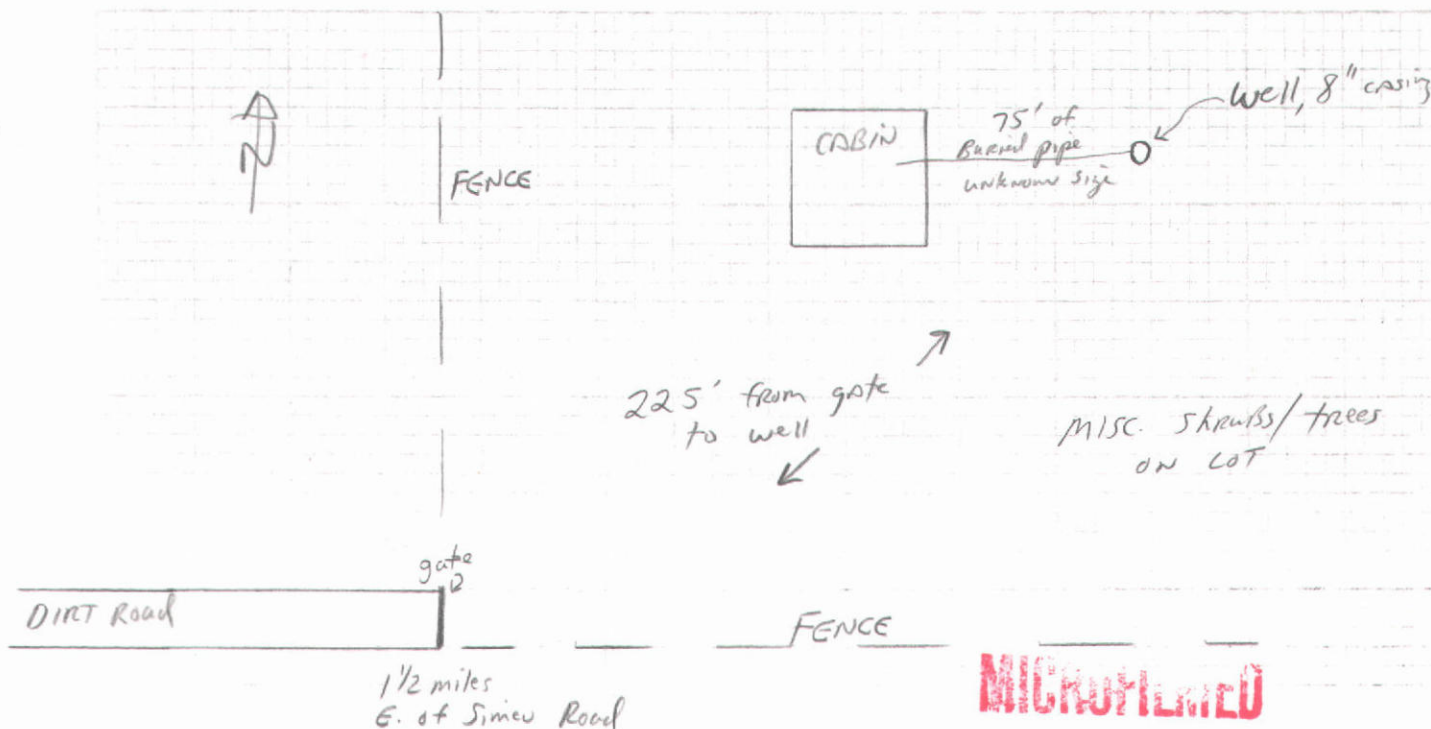
1. Other water rights with same place of use: NONE ☐ Copies Attached

2. Other water rights with same point of diversion: _____

☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



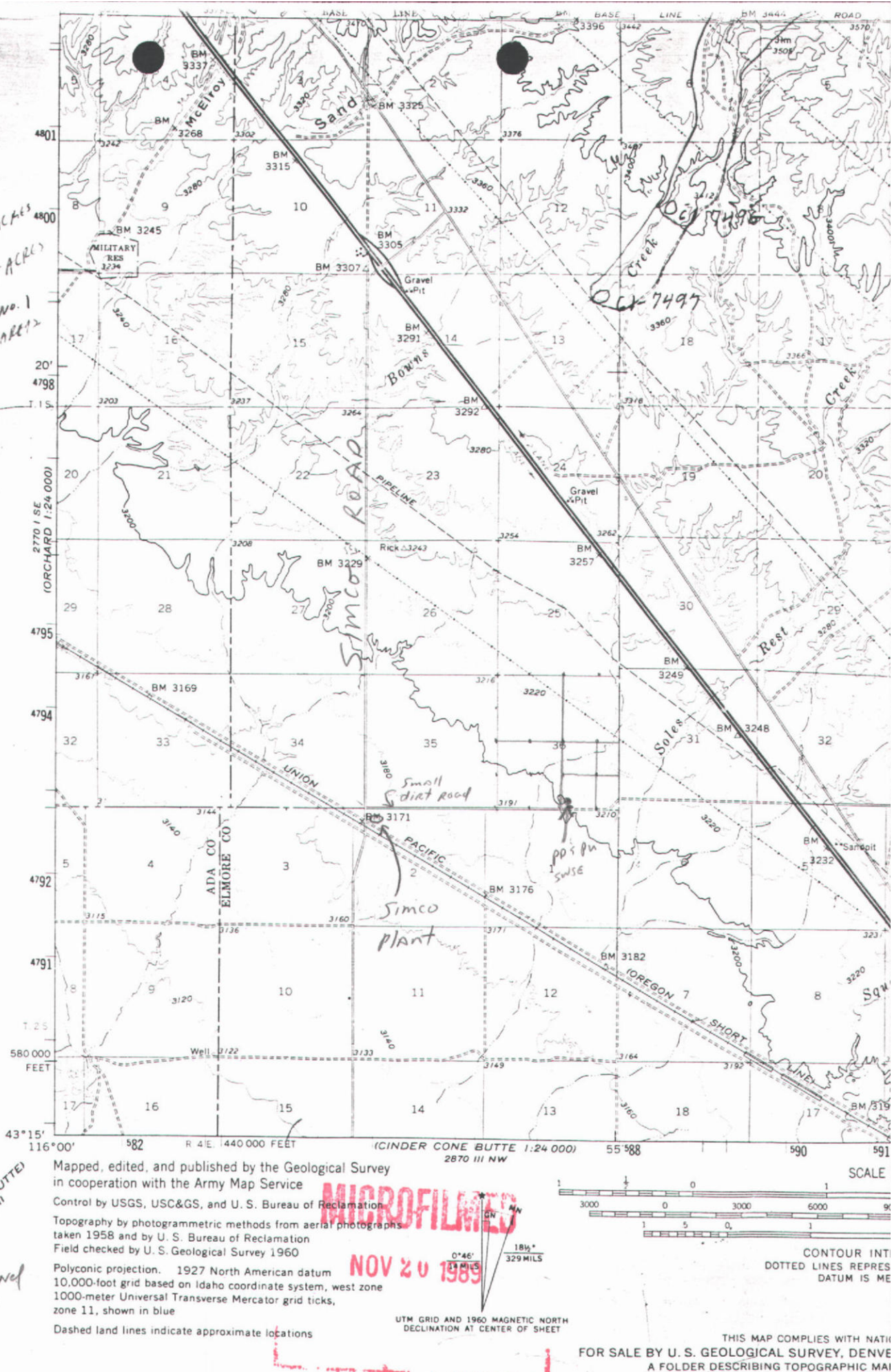
THE HILL

NOV 20 1989

Scale: 1" = NOT TO SCALE

2. ☒ Copy of U.S.G.S. 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 or more)
- ☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

Well is about
75' E. of house and
225' NE of metal
gate.



81-7403



Well Approx. 1 1/2 miles
East of Simco Plant
off Simco Road.

Evidence that well is
improperly sealed. CAP
was easily removed.



"A" frame house about
75' West of well.
View is looking north.



MICROFILMED

NOV 6 1982

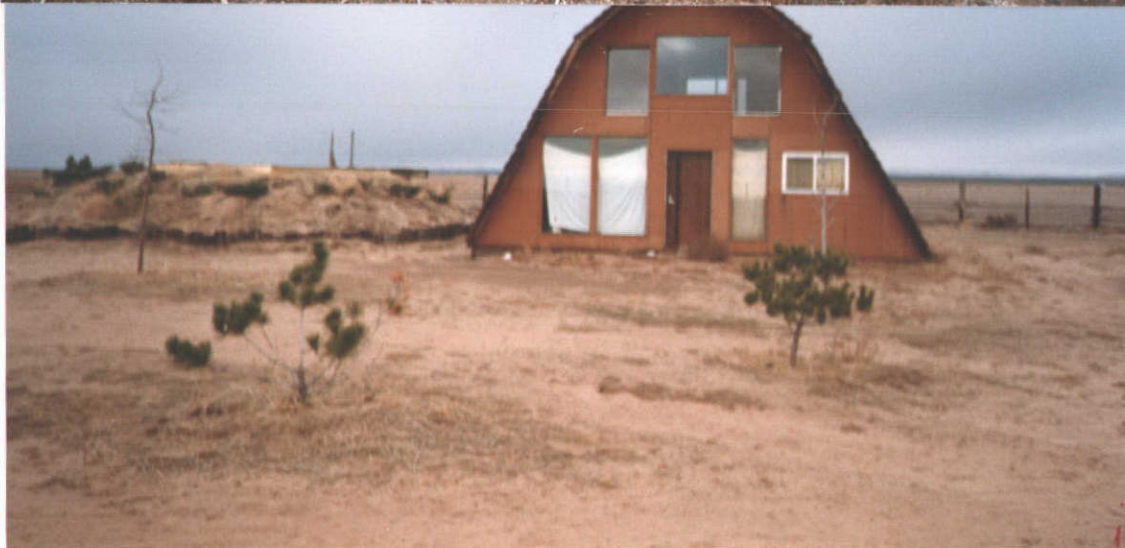
61-7403

Well Approx. 1 1/2 miles
East of Simco Plant
off Simco Road.



Evidence that well is
improperly sealed. CAP
was easily removed.

"A" frame house about
75' West of well.
View is looking north.



MICROFILMED

NOV 9 1988

81-7403

Well Approx. 1 1/2 miles
East of Simco Plant
off Simco Road.

Evidence that well is
improperly sealed. CAP
was easily removed.



"A" frame house about
75' West of well.
View is looking north.

MICROFILMED

NOV 8 1988

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 61-07403

Priority: June 2, 1980

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume:¹ 1.2 AF

This is to certify, that WAYNE RUSSELL
BOB D. RUSSELL

211 E. 42 ST.
BOISE, ID 83704

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 2, 1980; and has submitted Proof of Beneficial Use on April 21, 1986. An examination indicates that the works have a diversion capacity of .040 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION: SWSE , Sec. 36, Township 01S, Range 04E
ELMORE County

PLACE OF USE: DOMESTIC

TWN RGE SEC

01S 04E 36 SWSE

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery 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. Domestic use is for 1 home.

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 31st day of October, 1989.


R. Keith Higginson, Director

MICROFILMED

NOV 20 1989

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF REMOVING THE MEASURING DEVICE }
REQUIREMENT FOR PERMIT NO. 61-7403 IN THE NAME }
OF WAYNE &/OR BOB D. RUSSELL }

ORDER

WHEREAS, on May 7, 1981, the Department of Water Resources issued Permit No. 61-7403 in the name of Wayne &/or Bob D. Russell with a condition of approval which states:

A access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the department;

and,

WHEREAS, on April 21, 1986, the Department received a request from the permit holder to remove the measuring device requirement; and,

WHEREAS, the Department of Water Resources has determined that a device is not required for the development actually completed by the permit holder;

NOW, THEREFORE, IT IS ORDERED that the condition of approval on said water right requiring that an access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department is hereby REMOVED.

Dated this 15th day of May, 1986.


L. GLEN SAXTON
Chief, Operations Bureau

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT



To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of applicant Wayne &/or Bob D. Russell Phone 375-9401

Post office address 211 East 42nd St., Boise, Idaho 83704

2. Source of water supply groundwater which is a tributary of _____

3. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 36 Township 1S

Range 4E B.M. Elmore County, additional points of diversion if any: _____

(SE $\frac{1}{4}$ SE $\frac{1}{4}$) RH 4-30-81

Lot 4, Sec. 36, Twp. 1S, Rge. 4E.

4. Water will be used for the following purposes:

Amount 0.08 for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 2.66 for Irrigation purposes from 3-15 to 11-15 (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:

a. 2.74 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. wells, pumps, and sprinklers

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 16" & 8" inches; proposed depth of well is 400 feet.

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 — maximum 5 years).

8. Description of proposed uses: (SE $\frac{1}{4}$ SE $\frac{1}{4}$) RH 4-30-81

a. If water is not for irrigation: and Lot 4, Sec. 36, T. 1s, R. 4E.

(1) Give the place of use of water: SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 36 Township 1S

Range 4E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served 2, or number of families to be supplied with domestic water _____

(5) If water is to be used for other purposes describe: _____



JUN 3 1980

Department of Water Resources
Western Regional Office

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1S	4E	36													27	40	40	26	133

Total number of acres to be irrigated 133

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

9. a. Who owns the property at the point of diversion Applicant

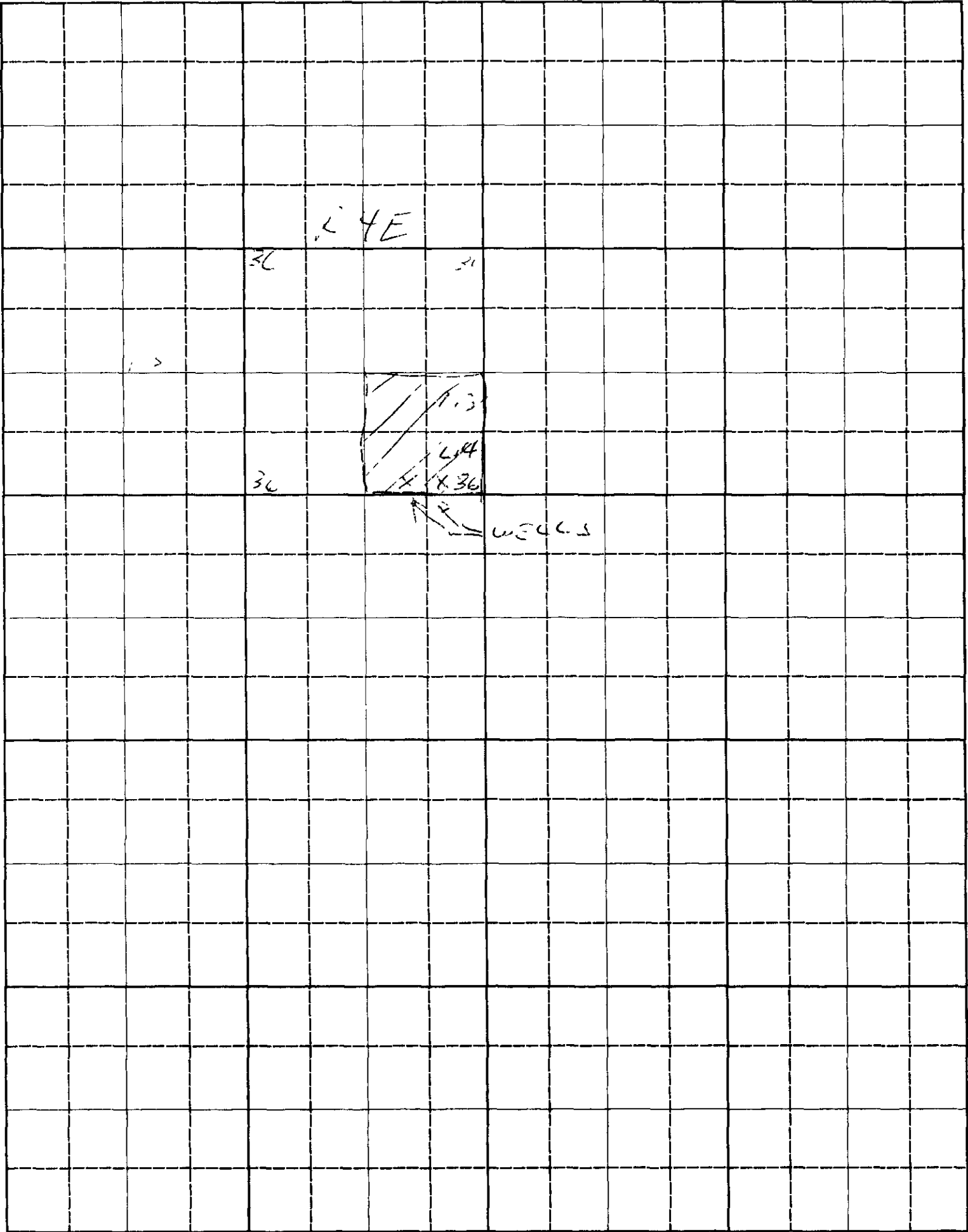
b. Who owns the land to be irrigated or place of use Applicant

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

10. Remarks

MISSOURI

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



Scale 2 inches equal 1 mile.

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

Wayne Russell
(Applicant)

Proposed Priority

6/2/80

Received by

JH

Date

06-02-80

Time

8:50

PRIORITY SHOULD
REMAIN 6/2/80
IF RETURNED
SIGNED BY 7/3

Preliminary check by

CLS

Fee \$

55.00

Receipted by

HCH

Date

6/9/80

#16355

Publication prepared by

HCH

Date

6/12/80

Published in

Mtn Home News

Publication dates

6/19 - 6/26/80

Publication approved

HCH

Date

7-7-80

Protests filed by:

none

Copies of protests forwarded by

Hearing held by

Date

Recommended for

approval

denial

by DBS

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. 61-7403, and said application is hereby approved.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 19 86.

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. Other: An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this

7th

day of

May

, 19 81.

[Signature]
Director

RECEIVED
JUN 11 1980
WATER RESOURCES
DIVISION

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF THE)
)
CINDER CONE BUTTE CRITICAL)
)
GROUNDWATER AREA)
_____)

ORDER ESTABLISHING
CRITICAL GROUNDWATER AREA

WHEREAS, the Idaho Department of Water Resources has conducted a study of the groundwater resources of the Cinder Cone Butte Area; and,

WHEREAS, information gathered during the study indicates that the available resource is limited and that with present development localized water level declines are occurring within the aquifer system; and,

WHEREAS, the records of the department indicate potential withdrawal and use of groundwater pursuant to the outstanding permits total more than 1.5 times the calculated recharge and would exceed the reasonably safe supply; and

WHEREAS, Section 42-233a, Idaho Code, requires the Director of the Department of Water Resources to designate areas as "critical groundwater areas" in all situations where there is not sufficient groundwater to provide a reasonably safe supply for irrigation of cultivated lands, or other uses in the basin at the current rate of withdrawal or rates of withdrawal projected by consideration of valid and outstanding applications and permits:

NOW, THEREFORE, IT IS HEREBY ORDERED, that the following described area be included within and designated as the "Cinder Cone Butte Critical Groundwater Area," pursuant to Section 42-233a, Idaho Code:

From the point of beginning at the southwest corner of Sec. 15, T. 3S, R. 4E, east to the southeast corner of Sec. 16, T. 3S, R. 5E, thence north to the southwest corner of Sec. 10, T. 3S, R. 5E, thence east to the southeast corner of Sec. 10, T. 3S, R. 5E, thence north to the southwest corner of Sec. 2, T. 3S, R. 5E, thence east to the southeast corner of Sec. 2, T. 3S, R. 5E, thence north to the northwest corner of Sec. 1, T. 3S, R. 5E, thence east to the southeast corner of Sec. 36, T. 2S, R. 5E, thence north to the southwest corner of Sec. 30, T. 2S, R. 6E, thence east to the southeast corner of Sec. 30, T. 2S, R. 6E, thence north to the southwest corner of Sec. 20, T. 2S, R. 6E, thence east to the

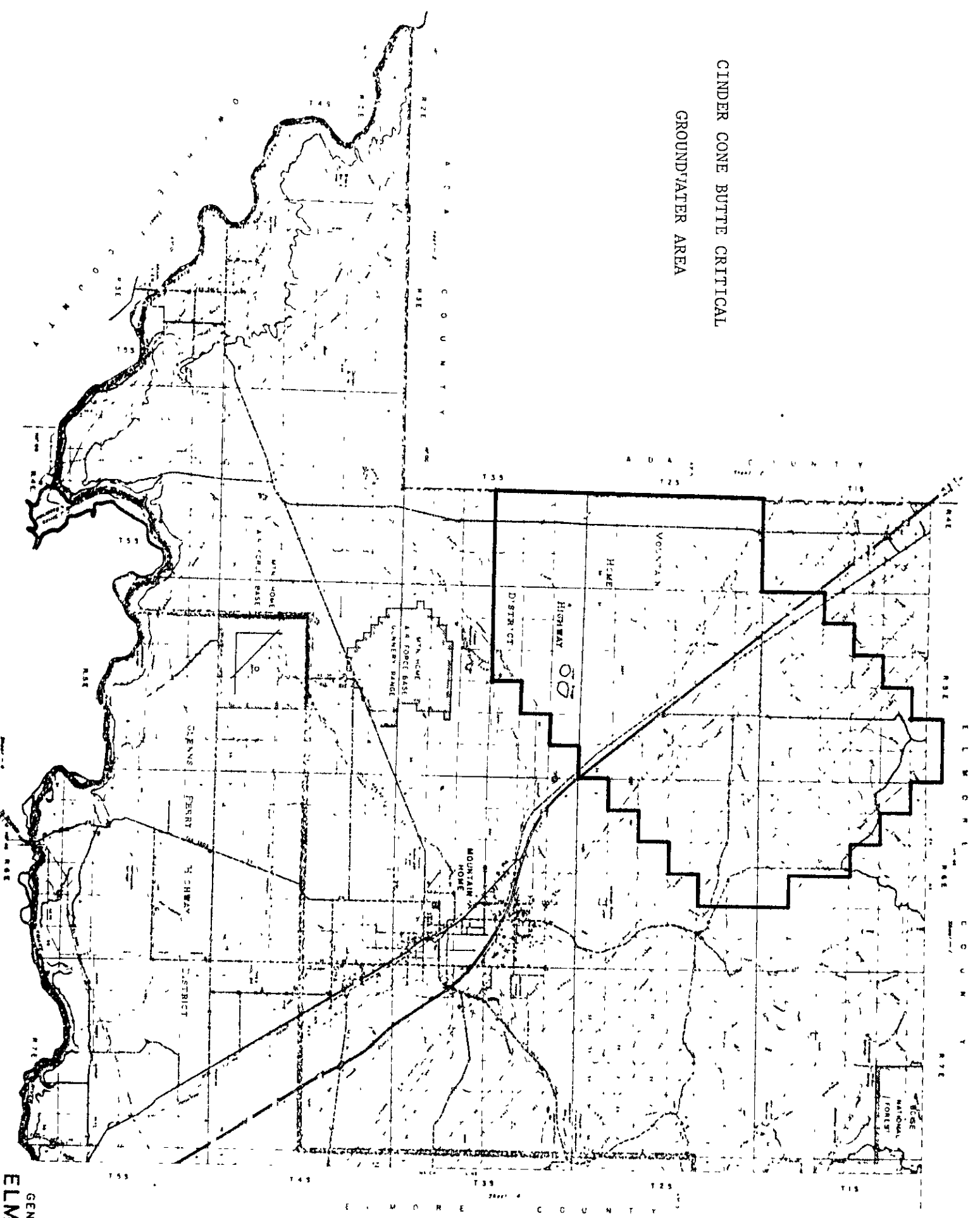
southeast corner of Sec. 20, T. 2S, R. 6E,
thence north to the southwest corner of
Sec. 16, T. 2S, R. 6E, thence east to the
southeast corner of Sec. 16, T. 2S, R. 6E,
thence north to the southwest corner of
Sec. 10, T. 2S, R. 6E, thence east to the
southeast corner of Sec. 10, T. 2S, R. 6E,
thence north to the northeast corner of
Sec. 34, T. 1S, R. 6E, thence west to the
northwest corner of Sec. 34, T. 1S, R. 6E,
thence north to the northeast corner of
Sec. 21, T. 1S, R. 6E, thence west to the
northwest corner of Sec. 21, T. 1S, R. 6E,
thence north to the northeast corner of
Sec. 17, T. 1S, R. 6E, thence west to the
northwest corner of Sec. 17, T. 1S, R. 6E,
thence north to the northeast corner of
Sec. 7, T. 1S, R. 6E, thence west to the
northwest corner of Sec. 7, T. 1S, R. 6E,
thence north to the northeast corner of
Sec. 1, T. 1S, R. 5E, thence west to the
northwest corner of Sec. 2, T. 1S, R. 5E,
thence south to the southeast corner of Sec.
3, T. 1S, R. 5E, thence west to the south-
west corner of Sec. 3, T. 1S, R. 5E, thence
south to the southeast corner of Sec. 9,
T. 1S, R. 5E, thence west to the southwest
corner of Sec. 9, T. 1S, R. 5E, thence
south to the southeast corner of Sec. 17,
T. 1S, R. 5E, thence west to the southwest
corner of Sec. 17, T. 1S, R. 5E, thence south
to the southeast corner of Sec. 19, T. 1S,
R. 5E, thence west to the southwest corner
of Sec. 19, T. 1S, R. 5E, thence south to
the southeast corner of Sec. 36, T. 1S, R. 4E,
thence west to the northwest corner of Sec.
3, T. 2S, R. 4E, thence south to the point
of beginning.

Dated this 7th day of May, 1981. *1350 o'clock*


A. KENNETH DUNN
Director

MICROFILMED

CINDER CONE BUTTE CRITICAL
GROUNDWATER AREA



MICROFILM
GENERAL HIGHWAY MAP
ELMORE COUNTY

**NOTICE OF APPLICATIONS
FOR WATER RIGHTS**

Notice is hereby given that the following applications have been submitted for permit to appropriate the public waters of the State of Idaho
02-7801

WILLIAMS, DUANE B
5110 SORRENTO DR BOISE, ID
83704

Source: SNAKE RIVER

Date Filed: 06/11/1980

Amount: 1.92 CFS

Diversion Point LOT 02 Sec T 05S R 10E, ELMORE Co

Use IRRIGATION (1.92 CFS) from 04/01 to 10/15

Place of Use: NWNE SWNE LOT 02 (SENE) NWSE NWSE SWSE NESE NWSE Sec 14 T 05S R 10E LOT 11 (SESE) Sec 22 T 05S R 10E FOR 6 ACRES

Diversion Means PUMP PIPELINE AND SPRINKLER SYSTEM

61-7403

RUSSELL, WAYNE &/or BOB D

211 E 42ST, BOISE, ID 83701

Source GROUNDWATER

Date Filed: 06/02/1980

Amount 2.71 CFS

Diversion Point SWSE LOT 01 Sec 36 T 01S R 04E, ELMORE Co

Use IRRIGATION (2.66 CFS) from 03/15 to 11/15, DOMESTIC (0.05 CFS) from 01/01 to 12/31

Place of Use LOT 03 (NESE) NWSE SWSE LOT 04 (SESE) Sec 36 T 01S R 04E FOR 133 ACRES

Diversion Means WELLS PUMPS AND SPRINKLERS

63-9391

EICHMANN, GORDON H & or VERN A V

P O BOX 102, ATLANTA, ID 83601

Source QUARTZ GULCH CREEK tributary to BOISE RIVER, MIDDLE FORK

Date Filed 06/06/1980

Amount 9.08 CFS

Diversion Points SWNE Sec 03 T 05N R 11E, ELMORE Co

Use DOMESTIC (0.08 CFS) from 01/01 to 12/31

Place of Use SWNE Sec 03 T 05N R 11E

Diversion Means PUMP PIPELINE AND CISTERN

If issued, the permits will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before JULY 7, 1980.

C STEPHEN ALLRED

Director

Published 6/19 & 6/26/80

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss

I, *William J. Seymour* 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 publication having been made on the *17* day

of *June*, 19*80* and

the last publication having been made on the

26 day of *June*, 19*80*, every Thursday 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 MOUNTAIN 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

William J. Seymour

Subscribed and sworn to me this *26th*

day of *June*, 19*80*

William J. Seymour

Notary Public

RECEIVED

JUN 20 1980

Idaho Department of Water Resources
Western Regional Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

November 1, 1989
R. KEITH HIGGINSON
DIRECTOR

WAYNE RUSSELL
BOB D. RUSSELL
211 E. 42 ST.
BOISE, ID 83704

RE: PERMIT NO. 61-07403

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

NOV 20 1989

September 18, 1989

WAYNE RUSSELL
BOB D. RUSSELL
211 E. 42 ST.
BOISE, ID 83704

RE: PERMIT NO. 61-07403

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

NOV 20 1989

POINT OF DIVERSION OVERLAP REVIEW

WR-NUMBER	TWP	RNG	SC	TRACT 1\4 1\4 1\4	LT	#SOURCE	#NAME
6107403	01S	04E	36	SW SE		GROUNDWATER	RUSSELL, WAYNE
6107403	01S	04E	36	SE SE	4	GROUNDWATER	RUSSELL, WAYNE

MICROFILMED

NOV 20 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region

TC Hill Dnr

JAN 25 1988

2735 Airport Way
Boise, Idaho 83705

(208) 334-2199

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

RECEIVED

JAN 25 1988

Department of Water Resources
Western Regional Office

Dec. 22, 1987

Mr. Wayne Russell
211 E. 42 St.
Boise, ID. 83714
Re: 61-7403

Dear Mr. Russell:

After visiting your property near Simco Road, examining the well and surrounding site, and talking to you on the telephone on 11/17/87, it is apparent that the well in question is not functional and the above permit no longer provides any beneficial use. Based on the foregoing, we cannot advance the permit to a license. The permit must be cancelled in such circumstances. To simplify matters, you may relinquish the right.

Please complete the enclosed relinquishment form and return it to this office within 30 days. Should any questions arise, please contact this office.

Sincerely,

Steve Lester

Steve Lester
Water Resource Agent

RECEIVED

NOV 20 1989

SL:enc

The permit holder reviewed this with me. He has installed and used a downhole submersible pump in the well to supply domestic & stock water. I have seen the system in place. He is not presently using the well and the pump has been removed. His intent is to re-install & use the domestic system. Perhaps we can find a way to license for that use.

*SL
1/20/88*

ucy



CECIL D. ANDRUS
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

R. KEITH HIGGINSON
Director

Mr. Wayne Russell
211 E. 42 St.
Boise, ID. 83714

Jan. 21, 1988

Re: Permit 61-7403

Dear Mr. Russell:

This letter is to confirm our telephone conversation earlier today. Your permit will be recommended for licensing for 0.04 cfs, domestic use, 1/1 to 12/31. Another issue follows from the field exam conducted last November.

The well casing is improperly sealed. The top of the casing is easily removed by hand and has a substantial opening in it. Groundwater contamination may occur in such circumstances, and you should correct the problem to remain within groundwater management statutes and guidelines.

Please contact this office if any questions arise.

Sincerely,

Steve Lester
Water Resource Agent

NOT RECORDED

NOV 20 1989

PD & PW: 15 4E 536 - 5WSE

m 219-S.A.
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

61-7403
Permit No.
RECEIVED
MAR - 1 1988

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat $E\frac{1}{2}$ of $E\frac{1}{2}$

Department of Water Resources

Check of P/D index SL 1/21/88 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?
Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☐ Other: _____

Check of P/U index SL 1/21/88 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?
Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☐ Other: _____

Aerial Photo

Required? ☐ yes ☒ no If yes: ☐ copy attached?

Scheduling Letter sent? 7/23/87 SL (Initial and date)

☒ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☒ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed Steve Latta 11/16/87 (Signature of examiner and date)
Exam Reviewed by Senior Water Resource Agent BD 1/22/88 (Initial and date)
Exam Reviewed by Manager of Regional Office DW 2/19/88 (Initial and date)
Exam Date Entered in Computer _____ (Initial and date)
Exam sent to State Office 2/24/88 (Initial and date)
Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 61-7403

1. Owner: Wayne and/or Bob D. Russell

Phone No. 375-9401

Current Address: 211 E. 42 St Boise, Id 83714

2. Accompanied by: NO ONE AVAILABLE

EXAM DATE: 11/16/87

Address: _____ **Phone No.** _____

Relationship to Permit Holder: _____

3. Source: Groundwater tributary to —

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____

NONE

☐ **Copies Attached**

2. Other water rights with same point of diversion: _____

☐ Copies Attached ☐ Copies of Field Exam's Attached☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached

225' from gate
to well.

MISC shrubs/trees
on LOT

gate 2
1 1/2 miles
E. of Simeu Road

Microbiology

NOV 20 1989

Scale: 1" = NOT TO SCALE

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

☐ Aerial Photo Attached
(required for irrigation of 10 acres or more)

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

A well of unknown depth (no log) has 8" casing and provides domestic water for internal & external use for 1 home. See letter of 12/22/87 to Wayne Russell. ~~which~~ letter was routed from Wayne to Norm Young, Dave Tuttle, and then to me. Apparently, pump will be reinstalled for continued domestic use. Last pump used was a 2 hp. submersible.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	unknown submersible	2	No info available	unknown submersible	No info available

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
				SWSE	36	1S	4E	G/More	USGS 15' Quad

6. Place(s) of Use:

Indicate Method of Determination USGS 15' Quad

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1S	4E	36															D		-

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Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
NONE						

2. Measurements:

NONE

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: NONE

2. Alternate Method for Checking Purposes: NONE

F. PUMP EFFICIENCY DATA (Optional) N/A

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation.

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$ _____

2. Volume Calculations for Other Uses:

1 home int. + ext = 1.2

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H. REMARKS AND OVERLAP REVIEW ANALYSIS

This right is limited to domestic use, 1 P/U, as indicated.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>Domestic</i>	<i>1/1</i>	<i>12/31</i>	<i>.04</i>	<i>1.2</i>

Totals: _____

2. Recommended Amendments

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

J. AUTHENTICATION

Field Examiner's Name

Steve Lester

Signature

Steve Lester

BD

1/22/88

Certification Date

Field Report Preparation Date

11/16/87 to 1/21/88

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

DM 5/5/89



NOV 20 1989

15

7965.643 ACRES
6131.7765 ACRES
BOWAS CREEK NO 1
+ 2 DRAIN AREAS

617403

15

4E

536

SWSE

From Simco Road,
go 1 1/2 miles E. on
dirt road to
site.

'A' frame house,
pole fence and
metal gate.

Well is about
75' E. of house and
225' NE of metal
gate.

2770 II SE
116°00'

Mapped, edited, and published by the Geological Survey
in cooperation with the Army Map Service

Control by USGS, USC&GS, and U S Bureau of Reclamation

Topography by photogrammetric methods from aerial photographs
taken 1958 and by U S Bureau of Reclamation
Field checked by U S Geological Survey 1960

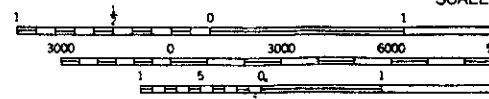
Polyconic projection 1927 North American datum
10,000-foot grid based on Idaho coordinate system, west zone
1000-meter Universal Transverse Mercator grid ticks,
zone 11, shown in blue

Dashed land lines indicate approximate locations

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NOV 20 1989

UTM GRID AND 1960 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET



CONTOUR INT
DOTTED LINES REPRESENT
DATUM IS ME

THIS MAP COMPLIES WITH NATIONAL
FOR SALE BY U S GEOLOGICAL SURVEY, DENVER
A FOLDER DESCRIBING TOPOGRAPHIC MAPS

31-7403

Well Approx. 1 1/2 miles
East of Simco Plant
off Simco Road.

PERMIT NO 617403

Evidence that well is
improperly sealed. CAP
was easily removed.

PERMIT NO 617403

"A" frame house about
75' West of well.
View is looking north.

MICROFILMED

NOV 1980

31-7403

Well Approx. 1 1/2 miles
East of Simco Plant
off Simco Road.

Evidence that well is
improperly sealed. CAP
was easily removed.

PERMIT NO. 31-7403

"A" frame house about
75' West of well.
View is looking north.

MICROFILMED

NOV 1980

31-7403

Well Approx. 1 1/2 miles
East of Simco Plant
off Simco Road.

Evidence that well is
improperly sealed. Cap
was easily removed.

"A" frame house about
75' West of well.
View is looking North.

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NOV 6 1985

PLACE
STAMP
HERE

MICROFILMED

NOV 20 1989



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 61-7403

Name(s) of Permit Holder(s): WAYNE & OR Bob D. Russell

Post Office Address: 211 East 42nd St.
BOISE IDAHO 83721-9401

☒ I hereby certify that construction of diversion works for the above referenced permit began on October 1, 1983 or about (date) I understand that I must continue to develop the water system with diligence to maintain a valid permit 8" well drilled 575 ft

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

I have been delayed by IPCO refusal
to provide power hooking up

*Note: A financing difficulty is
not an acceptable reason

1/6/83
Date

Wayne Russell
Signature of Permit Holder

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED

APR 21 1986

Department of Water Resources
Western Regional Office

RECEIVED

APR 21 1986

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below.

Permit No 61-7403Name(s) of Permit Holder: WAYNE RUSSELL AND/OR Bob D. RussellPost Office Address 211 E. 42 ST 83704BOISE IDAHO Telephone No. 375-9401Source of Water: Ground water

Extent of Use

Domestic 1 (0.04 cfs) (number of households)Stockwater 50 HEAD (0.04 cb) (number and type of stock)

Irrigation _____ (acres)

Other/Remarks _____

Indicate the date water was first diverted and beneficially used under this permit: 1982Measuring Device. Required? ☐ Yes ☒ No — WAIVER HEREBY REQUESTED
Installed? ☐ Yes ☒ NoFlow Measurement Port. Required? ☒ Yes ☐ No
Installed? ☐ Yes ☐ No

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

WAYNE RUSSELL
(Name)211 E. 42 ST 375-9401
(Address) (Telephone Number)

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

4/21/86
DateWayne Russell
Signature of Permit Holder (and Title, if appropriate)

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5-14-86
sb

Place
Stamp
Here

Idaho Department of Water Resources
Statehouse Mail
Boise, ID 83720

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

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
FEBRUARY 28, 1986
138880

RUSSELL, WAYNE & BOB D.
211 E. 42 ST.
BOISE, ID 83704

P R O O F D U E N O T I C E

RE: PERMIT NO. 61-7403

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, 1986. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST.) ENCLOSED IS A FORM WHICH 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 A COMPLETED PROOF OF BENEFICIAL USE FORM OR A 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,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT.

(2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

May 6, 1981

Wayne & Bob Russell
211 East 42ns St.
Boise, Idaho 83704

Dear Sirs,

RE: Permit No. 61-7403

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

Be sure to note the special condition requiring you to install an access port or other device to provide for the installation of measuring equipment by the Department. Enclosed are specifications for the installation of the access port, as well as a list of measuring device options.

Please be advised that your proposed wells are located just outside the boundaries of the new Cindercone Butte Critical Groundwater Area.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

Enclosure

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: ELS

APPLICATION NUMBER: 61-7403

CHECK:

Russell

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.

Field check by: _____

Date: _____

Comments: _____

☐ 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.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

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. None found

☒ Yes ☐ No* In form for advertising.

Final date for protests: 7/7/80

☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

☒ Affidavit of publication received. Date: 6-30-80 ✓

☒ 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? _____

6/2/80 Date of priority recommended.

✓ Special conditions of approval or cover letter. 2, P. GW letter

By: DBS Date: 4/28/81

STATE OFFICE REVIEW:

return receipt cover letter for item 3 #841

SLW/L03 OC

☐ See attached sheet for more information.
By: [Signature] Date: 4/30/81

RUSSELL, WAYNE &/or BOB I

211 E. 42 ST., BOISE, ID 83704

Source GROUNDWATER

Date Filed: 06/02/1980

Amount: 2.74 CFS

Diversion Point: SWSE LOT 04 Sec 36 T 01S R 04E, ELMORE Co.

Use: IRRIGATION	(2.66 CFS)	from 03/15 to 11/15
DOMESTIC	(0.08 CFS)	from 01/01 to 12/31

Place of Use. LOT 03 (NESE) NWSE SWSE LOT 04 (SESE) Sec 36 T 01S R 04E
FOR 133 ACRES

Diversion Means: WELLS, PUMPS AND SPRINKLERS.