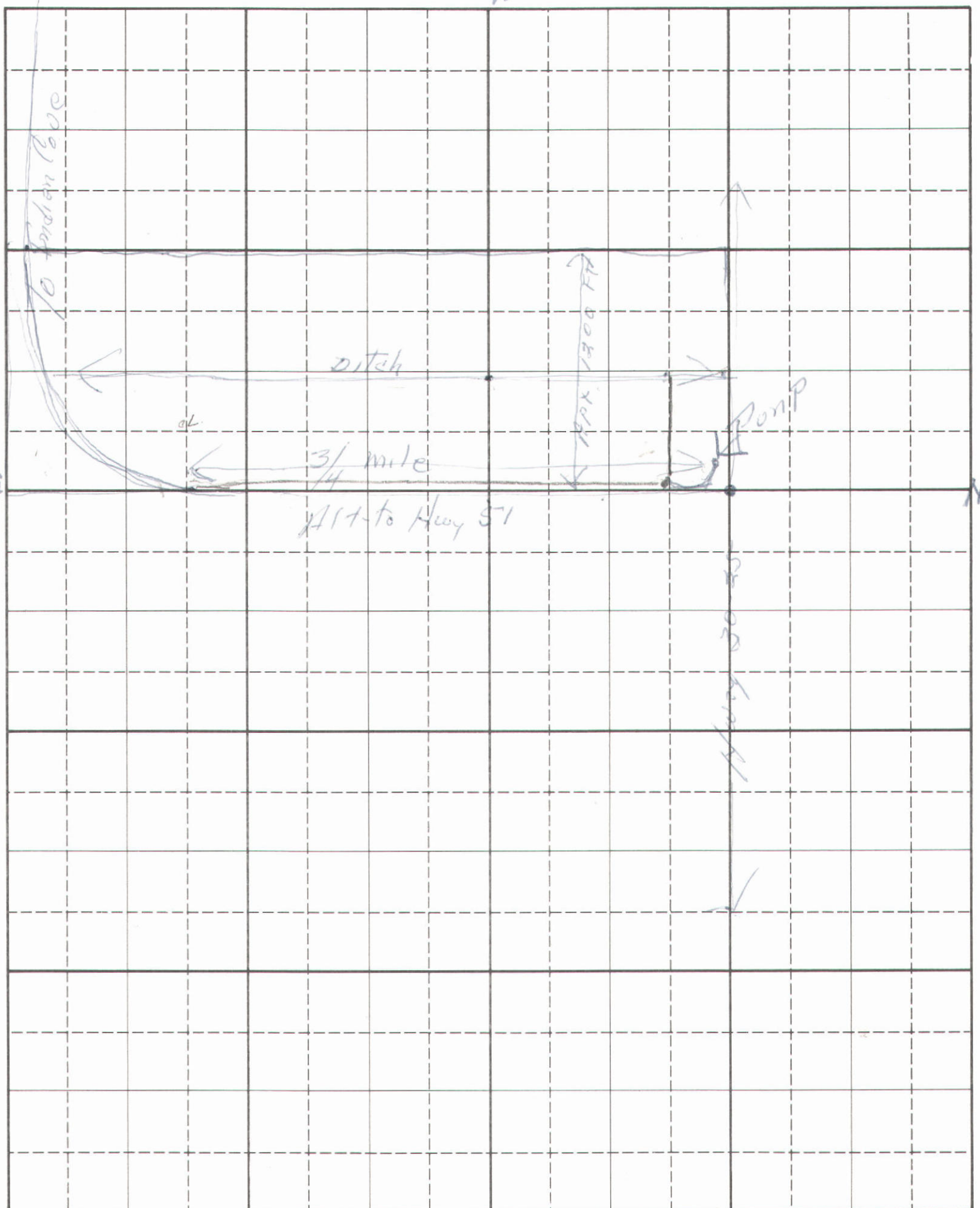


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

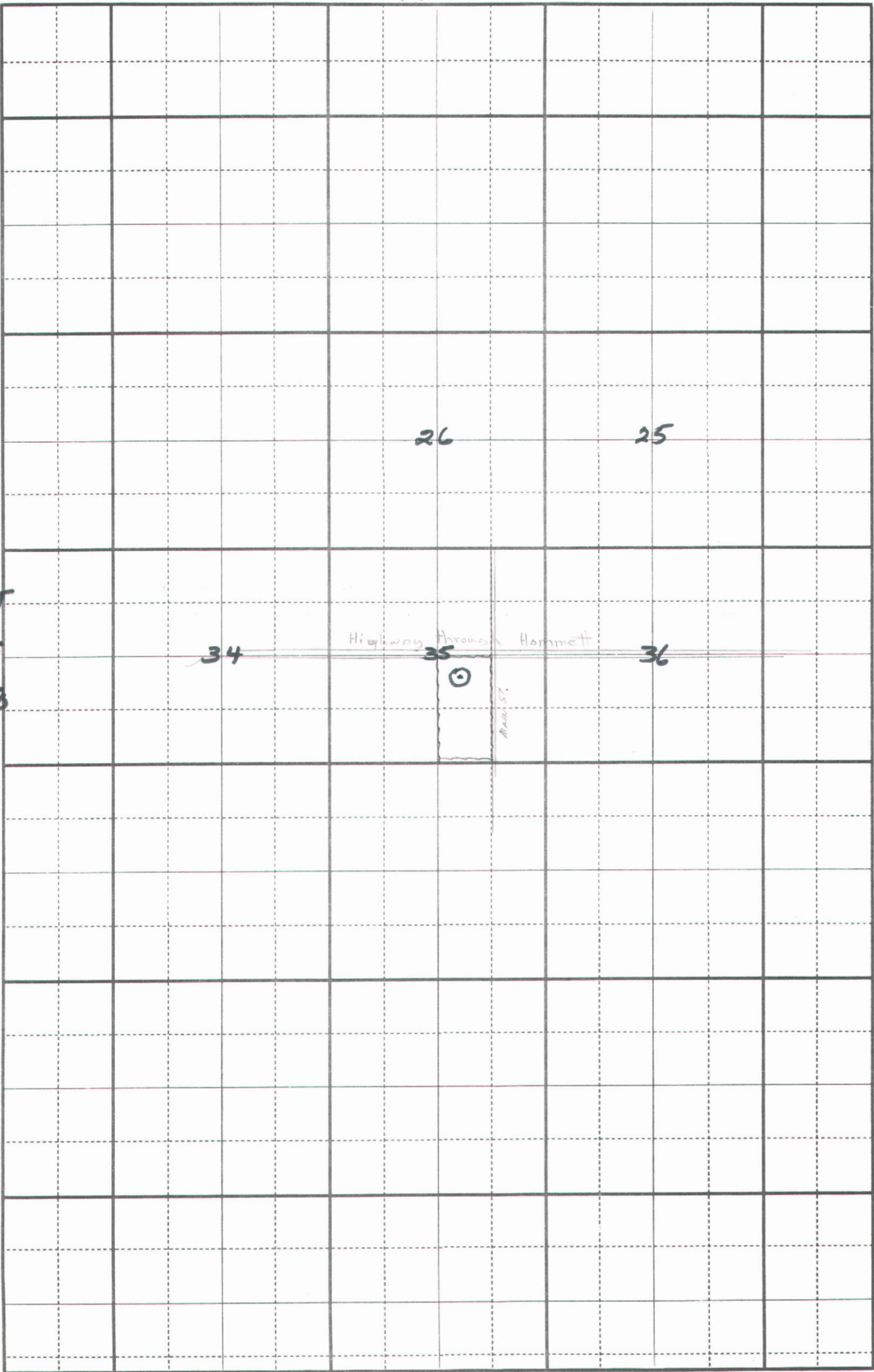
Not to Scale

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.

Bert A. Waller
(Applicant)

NAME OF APPLICANT.....RBE.....

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

RECEIVED

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Bert A. Waller, Box 65, Hammett, Idaho, has on October 14, 1971, submitted Application No. 61-7098, for a permit to appropriate 1.5 cubic feet per second of water from a ground water source by means of well, pump, and ditches within the NW 1/4 SE 1/4, Sec. 35, T. 5S, R. 8E, B. M., Elmore County to be used from April 1 to Nov. 1 for the irrigation of 50 acres within the W 1/2 SE 1/4, Sec. 35, T. 5S, R. 8E, B. M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before December 6, 1971.

R. KEITH HIGGINSON
Director

Published in the Mountain Home News, Mountain Home, Idaho on Nov. 18 and Nov. 25, 1971.

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Floyd S. 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 ... 18 ... day
of ... November ..., 1971, and
the last publication having been made on the
... 25 ... day of ... November ...

19. 71 ...; 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.

Floyd S. Waters

Subscribed and sworn to me this 25 ...
day of ... November ..., 1971.

Vincent M. Waters
Notary Public

61 7098



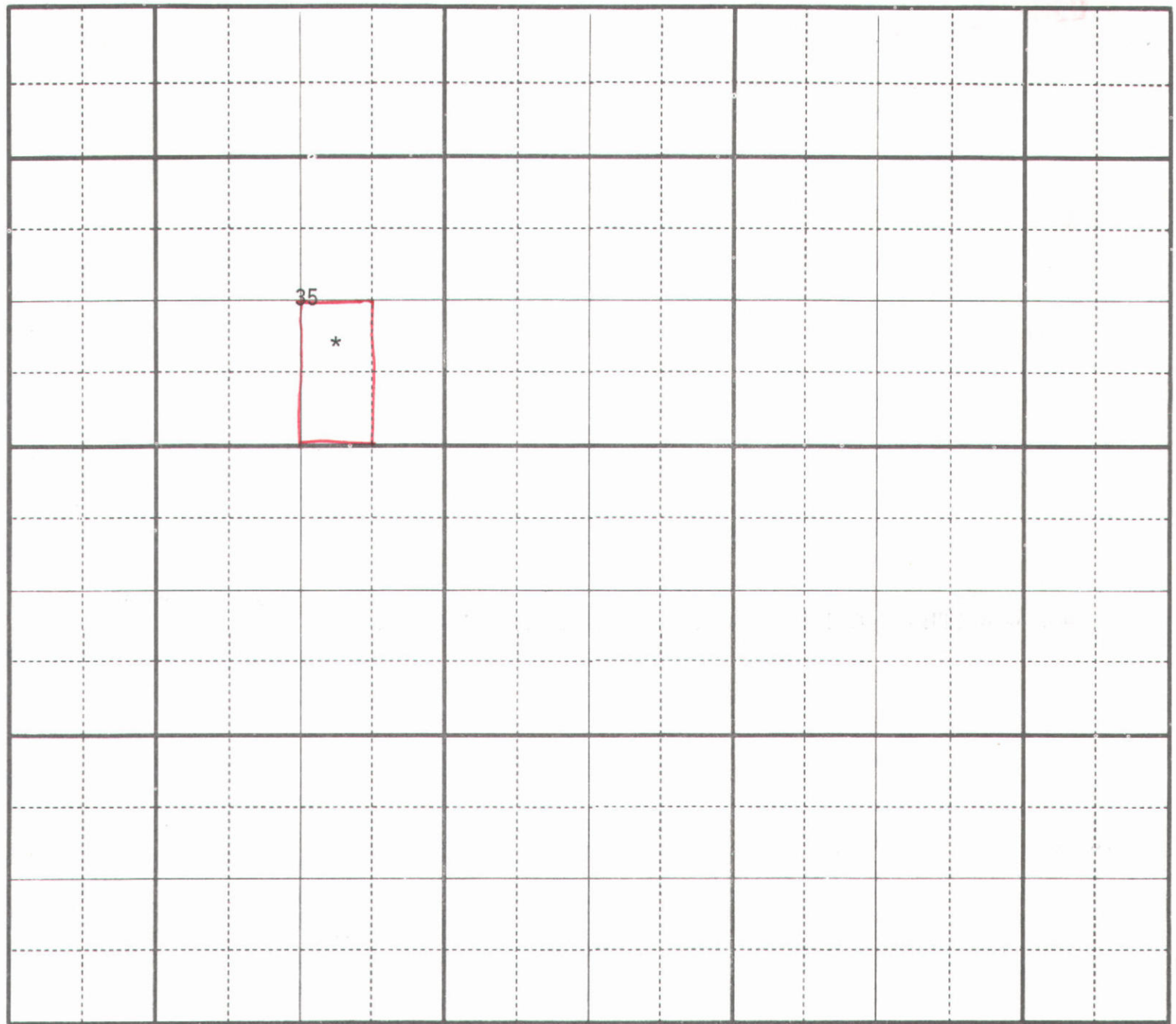
T
5
S

Diagram of System

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 61-7098 Priority October 14, 1971 Amount 1.50 cfs

THIS IS TO CERTIFY, that BERT A. WALLER
of Hammett, Idaho, has complied with the terms and conditions of Permit
No. 61-7098 issued pursuant to Application for Permit dated October 14, 1971,
and has submitted proof to the Department of Water Resources on November 16, 1976,
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the diversion of 1.74 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>November 1</u>	at <u>1.50</u> cfs and	<u>350</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____
(both dates inclusive)			

Subject, however, to the condition that no more than 1.50 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
350 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, Twp. 5S,
Rge. 8E., B.M. in the County of Elmore

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5S	8E	35																	50

Total number of acres irrigated 50

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 23 day of
July, 19 79.

Director

Identification No. 61-7098
Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION **APPROVED**
APPLICATION FOR PERMIT

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

1. Name of applicant Bert A. Waller
post office address Box 65, Hammett, Idaho 83627
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 35 Township 5 S
Range 8 E B.M. Elmore County; additional points of diversion if any: _____

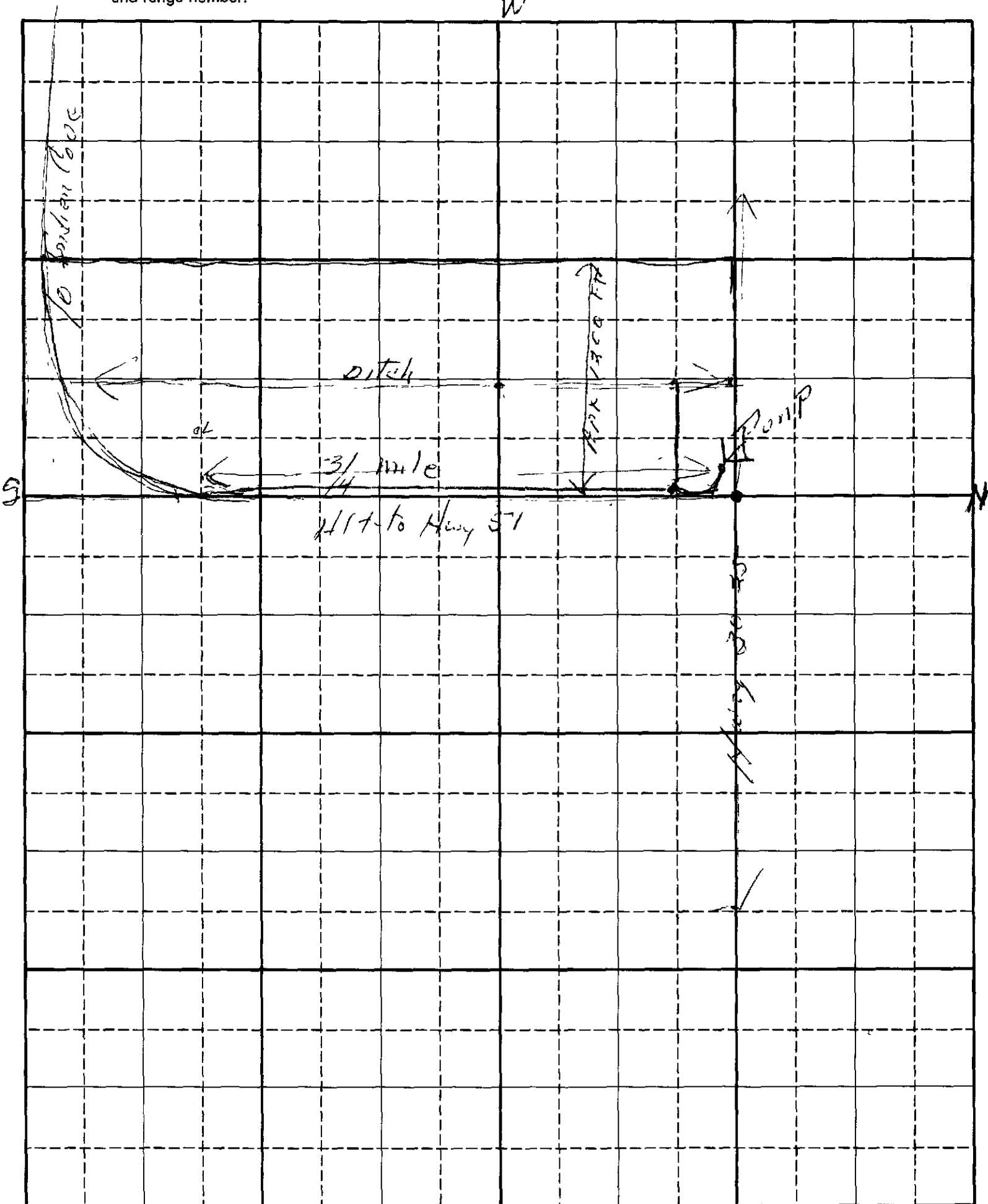
b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 1.5 for irrigation purpose from April 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 1.5 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, pump into a ditch to a check
gate to two ditches

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 16 inches; proposed depth of well is 100 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years
b. Estimated construction cost is \$ _____.
8. Description of proposed uses.
a. If water is **not** for irrigation.
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated. _____ hp under _____ feet of head
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

61 7098

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

Not to Scale

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

E

Paul D. Walker
(Applicant)

Received by ef Date 10/14/71 Time 4:40p rect #8383
Preliminary check by TK Fee \$ 35.00
Receipted by ef Date 10-14-71
Publication prepared by cr Date 11-10-71
Published in Mt. Home News
Publication dates 11-18 & 11-25-71
Publication approved cr Date 12-1-71
Priority ~~reduced to~~ 10-14-71 Reason _____

Protests filed by. _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by DK 1/6 BDF

61-7098

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 61-7098, 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 January 1, 1977.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

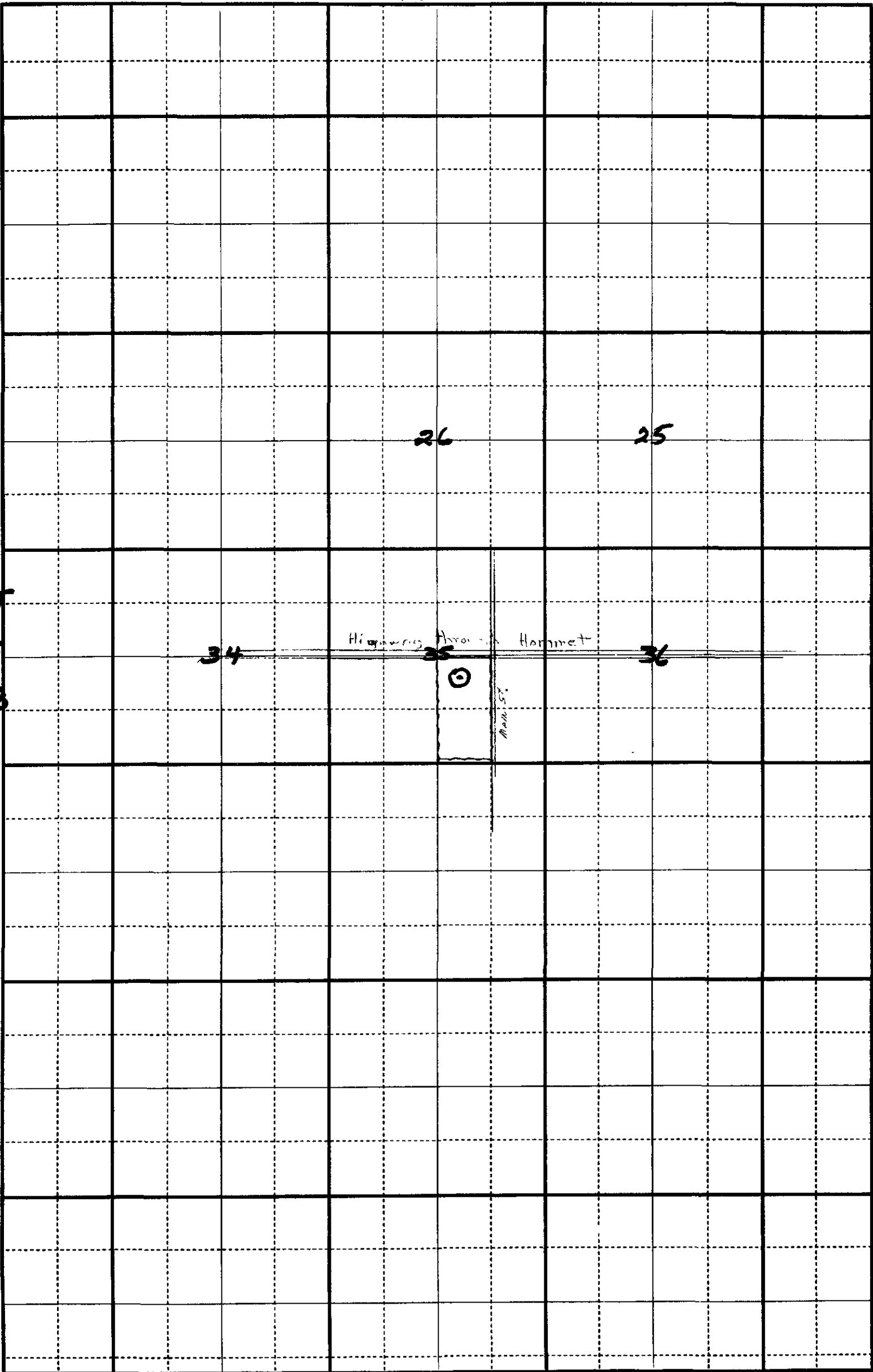
2. Denial of said application is for the following reasons: _____

Witness my hand this 19 day of January, 19 72.

R. Kent Higgins
Director

NAME OF APPLICANT..... **RSE**

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

NOTICE IS HEREBY GIVEN THAT
 A. W. Weller, Esq., of Ham-
 miltown, has on October 14,
 1971, filed Application No.
 100000, a petition for
 1.1 cubic feet per second
 water from a ground water
 source, and well, owned
 and operated by the State
 of Idaho, for use in
 Hamiltown, Idaho, for the
 purpose of providing water
 for the town of Hamiltown,
 Idaho, on or before De-
 cember 31, 1971.

Affidavit of Publication

County of Elmore }
 STATE OF IDAHO } ss.

I, *Floyd S. 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 ... *18* ... day
 of ... *November* ... , 19...*71*, and
 the last publication having been made on the
 ... *25* ... day of ... *November* ...
 19...*71*...; 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.

Floyd S. Waters

Subscribed and sworn to me this ... *25* ...
 day of ... *November* ... , 19...*71*.

William M. Waters
 Notary Public



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

July 23, 1979

Bert A. Waller
Box 65
Hammett, ID 83627

Dear Mr. Waller:

RE: Water Right No. 6107098

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

Sincerely,

Jan Grover
JAN GROVER
Water Rights Supervisor

JG:lr

Enclosure

MICROFILMED

June 13, 1979

Bert A. Waller
Box 65
Hammett, ID 83627

Dear Mr. Waller:

Re: Permit No. 61-7098

In my last letter to you dated January 22, 1979, I indicated that the Department was considering a revised method of determining the irrigation volume requirement for your system identified in Permit No. 61-7098. Since that time, the revised system has been under consideration but has not yet been approved. Rather than to delay processing of your permit any longer, we have opted to calculate a diversion volume appropriate for your uses.

Calculations of the maximum irrigation volumes necessary to irrigate your lands were made by the Soil Conservation Service and this Department. Based upon these calculations, we are prepared to issue the license for water right No. 61-7098 at 7.0 acre-feet per acre, or 350 acre-feet for the 50 irrigated acres.

If you do not concur with this acre-foot amount, please notify us by June 29, 1979. Otherwise, a license will be issued as set forth in our letter of September 22, 1978, with the above changes.

Sincerely,

DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

DRT:rf

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address
Statehouse
Boise, Idaho 83720
(208) 384-2215

June 12, 1979

MEMO

TO: Dave Tuthill through Gerry Galinato
FROM: Keith Anderson *KTA*
SUBJECT: PERMIT NO. 61-7098, BERT A. WALLER

In order to estimate the annual irrigation requirement for this farm, I assumed the "worst case" conditions:

- 1) The entire farm (50 acres) would be planted with one crop.
- 2) The base crop (alfalfa) requiring the highest seasonal consumptive use would be planted. The seasonal consumptive irrigation requirement published by the University of Idaho^{1/} for alfalfa is 33.66 inches. This provides the consumptive irrigation requirement 80 percent of the time.
- 3) Irrigation efficiency in the Hammett area is difficult to determine. However, the values reported by Gene Crisman in his letter to you of December 26, 1978 appear reasonable and are probably the best estimates. Annual irrigation requirements will vary considerably depending on on-farm application efficiency.

Based on these assumptions the annual irrigation requirement would be:

	On-Farm Efficiency (percent)		
Irrigation Requirement	40	50	65
Acre Feet Per Acre	7.0	5.6	4.3
Acre Feet (50 Acres)	350	280	215

These figures do not take into account conveyance losses from the well to the individual field. They compare well with the estimate provided by SCS.

^{1/} Sutter, R.J. and G.L. Corey, Consumptive Irrigation Requirements for Crops in Idaho, Bulletin 516, University of Idaho, College of Agriculture, Table 26 p. 39, July 1970.

January 22, 1979

Bert A. Waller
Box 65
Hammett, ID 83627

Dear Mr. Waller:

Re: Permit No. 61-7095

Since your last visit to this office, we have been in correspondence with Mr. Gene Crisman, District Conservation Agent, Soil Conservation Service. Mr. Crisman explained in a letter dated December 26, 1978 that surface irrigation on shallow, sandy soil in the Hammett area generally averages from 40% to 50% efficiency under good management. He calculated that lands such as yours will require 5.8 to 7.2 acre-feet of water per season.

We are prepared to consider that letter as evidence that your water system may need more than 4.5 acre-feet per acre for operation in a dry year. However, this office is currently looking at a revision of licensing requirements, to include deletion of an annual volume calculation. Instead we would calculate the consumptive irrigation requirement on a water right such as yours.

A decision will be made as to the modification of the licensing requirement by the end of February, 1979. We will delay processing of your license until that time with no delay in priority of the water right. You will be sent notification of our final licensing decision within the next two months.

Thank you for your cooperation and patience in this matter. The Department is currently undergoing some changes but I believe that our final licensing recommendation will be satisfactory to you.

Sincerely,

DAVID R. TUTHILL, JR.
Supervisor, Water Allocation Section

*Call-up
6/1/79*

UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

SUBJECT Permit No. 61-7098
Bert A. Waller

DATE December 26, 1978

TO David R. Tuthill, Jr.
Water Allocation Section Supervisor
Department of Water Resources
Statehouse
Boise, Idaho 83720

RECEIVED
DEC 29 1978
Department of Water Resources

Dear Mr. Tuthill,

The information furnished you by Mr. Waller did originate in this office. Mr. Waller requested calculations to show how much water could be delivered to his farm during the irrigation season if he had a 1.25 inch per acre water right. This is not the amount of water needed to irrigate a crop adequately.

Crops commonly grown in the Hammett area and their respective gross consumptive use of water is as follows:

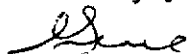
Alfalfa - 34.18"
Sugar Beets - 29.83"
Pasture - 29.42"
Potatoes - 24.35"
Field Corn - 22.80"
Beans - 18.28"
Spring Grain - 15.97"

If we figure alfalfa at 35 inches per season for consumptive use and figure a sprinkler at 65% efficiency we come up with a need for 54 inches or 4.5 acre feet of water per season.

Surface irrigation on the shallow sandy soils in the Hammett area generally range from 40-50% efficiency under good management. This would then require 5.8 to 7.3 acre feet of water per season.

This would be the total water needs of the heaviest water use crop not the supplemental water needed over and above a King Hill Irrigation District water right.

Sincerely yours,



Gene Crisman
District Conservationist

cc: Bert Waller

RECEIVED
DEC 29 1978
Department of Water Resources

UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

282 S. 3rd W.
MOUNTAIN HOME, IDAHO 83647

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE \$300

AN EQUAL OPPORTUNITY EMPLOYER

POSTAGE AND FEES PAID
U.S. DEPARTMENT OF
AGRICULTURE
AGR 101



David R. Tuthill, Jr.
Water Allocation Section Supervisor
Department of Water Resources
Statehouse
Boise, Idaho 83720

November 14, 1978

Re: Permit No. 61-7098

Eugene E. Cresman
United States Department of Agriculture
Soil Conservation Service
Mountain Home, Idaho 83647

Dear Mr. Cresman:

We are currently in the process of licensing the above referenced permit, in the name of Bert A. Waller, of Hammet, Idaho. Mr. Waller irrigates some 50 acres in the W $\frac{1}{2}$ SE $\frac{1}{4}$, Section 35, Township 5S, Range 8E, as a part of the King Hill irrigation project. This permit is for groundwater to supplement his surface water supply.

We have initially recommended that Mr. Waller's license be quantified at a volume of 4.5 acre-feet per acre. Mr. Waller has responded to this recommendation by suggesting that 4.5 acre-feet per acre is not enough water to satisfy his irrigation needs in a dry year. He submitted two documents (copies enclosed) of calculations which he contends substantiate the need of 9 acre-feet per acre.

It is in response to these documents that I am writing you, since they appear to have been compiled in your office. It appears that the 9 acre-feet per acre is merely a calculation of how much water can be applied in a 180 day irrigating season rather than an estimate of how much water can be beneficially used for irrigation purposes.

Could you please provide us with some calculations as to the volume of water that Mr. Waller must receive to irrigate his crops with his current system. Any additional data that you could provide on this subject would be appreciated. Thank you for your consideration in this matter.

Sincerely,

DAVID R. TUTHILL, JR.
Water Allocation Section Supervisor

DRT:lr

Enc: 2

UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Nt. Home, Idaho

Bert Waller Farm - Hammett

47 Acres of cropland with an
1.25 inch per acre water right
from the King Hill Irrigation District

April 10 - Oct 10 is 180 days
of irrigation season with a 1.18 cfs
irrigation flow.

1.18 cfs = 2.36 Ac. Ft./day = 425 Acre
feet per 180 day season.

$$\frac{425 \text{ Acre Feet}}{47 \text{ Acres}} = \underline{9 \text{ Ac Ft. per Acre.}}$$

Lynne E. Cushman
Soil Conservation Service
Nt. Home, Idaho



47 Acres
1 1/4" / Ave
150 days

58.75 inches (Ft) (ft)
115 CFS
2.36 Ac ft/day
112.5 Ac ft / Season
9 Ac ft / Ave

~~71.5 ft / Ave~~

Camp woods 3 Ac ft

18.5 ft -
112 ft -

CONVERSATION MEMORANDUM

DATE

10/2/78

FILE

61-7098

NAME OF PARTY

EMPLOYEE

RE:

Beit Waller
Jan Grover

Mr. Waller came into the office this date requesting a larger amount for his acre foot total. He stated that due to sandy soil he ran his pump 24 hrs a day. We told him to submit a statement from the SCS stating he needed that much water & gave him an extra 30 days on the licensing.

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C Stephen Allred
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

September 22, 1978

Re: Permit No. 61-7098

Bert A. Waller
Box 65
Hammett, ID 83627

Dear Mr. Waller:

A representative of this Department made an examination of the works covered by your Permit No. 61-7098 on October 25, 1977, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 1.50 cfs Source: groundwater

The maximum quantity diverted shall not exceed 225 acre feet per
year.

Point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, Twp. 5S, Rge. 8E, B. M.

Beneficial use: Irrigation of 50 acres within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35,
Twp. 5S, Rge. 8E, B. M.

Priority date established: October 14, 1971

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

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw

11/1/78

D
191

E
113

58

K
33.5

J
83

H
165

A
181

91

A-31

B
57.9

83

35

2

D
114

A-178
C
112

B
16.0

8.0
A

E
10.3

F
9.6

11.5
H

4.0

B

24.8
A 16.0

A

22.4

E
6.7

D
10.4

F
22.3

3.0
C

B
20.1

A
11.1

12
C

H 307

(307-A)

9.6
K

J
12.4

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Bert A. Waller
Post office address Box 65, Hammett, ID 83627 Phone
Person to contact Phone

2 Source of water supply: Groundwater ☐ Surface water ☒
(name spring, stream, etc.)
Tributary to

3 Water will be used for the following purposes
Amount 1.50 c.f.s. for Irrigation
AF/Annum (nature of use)
Period of Use from April 1 to Nov. 1
(mo -day) inclusive (mo -day)
Amount c.f.s. for
AF/Annum (nature of use)
Period of Use from to
(mo -day) inclusive (mo -day)
Amount c.f.s. for
AF/Annum (nature of use)
Period of Use: from to
(mo -day) inclusive (mo -day)
Other uses:

Permit No. 61-7098
b/u
Examination for

4. Total amount to be appropriated:
Max Rate of Diversion 1.50 cubic feet per second and annual volume AF/Annum

5. Location of Point(s) of Diversion:
Township 5S N/S, Range 8E E/W, B.M., Section 35, Subdivision NW 1/4 SE 1/4, Elmore County
Township N/S, Range E/W, B.M., Section, Subdivision 1/4 1/4, County
Township N/S, Range E/W, B.M., Section, Subdivision 1/4 1/4, County
Other Points of Diversions:

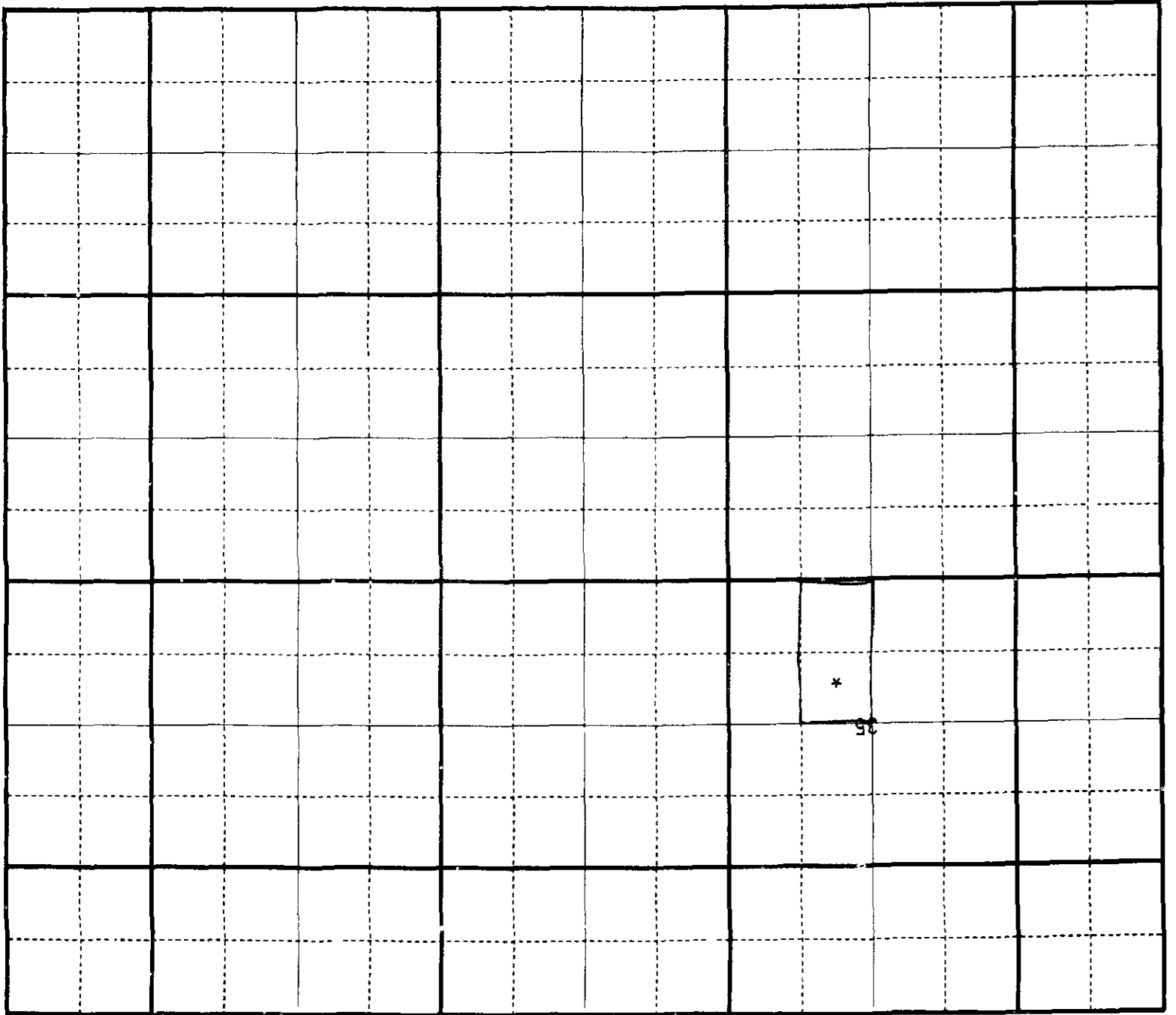
Description of diverting works: 16" dia. well, 125' deep, 40 hp pump into sprinkler system
or to open ditch

Measuring device required. yes ☒ no ☐

6 Lands to be irrigated or place of use

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				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	
5S	8E	35														25	25		50

Diagram of System



Results of Bert Waller
Irrigation Well Pump Test, Hammett
August 9-10, 1977

C Idaho Department of Water Resources personnel conducted a pump test on the Bert Waller irrigation well, monitoring discharge and drawdown in his well, and monitoring water levels in wells belonging to Janousek, Davis and Irons. The pump test was run for a period of 17 hours, from 6 p.m. August 9 to 11 a.m. August 10, 1977, during which time the Waller well pumped at a virtually constant discharge (779 gals/min) from a quite constant pumping level of 55.6 feet below land surface, only about 20 feet of drawdown from the pre-pumping water level. Since the Waller well was pumping to open discharge, rather than the usual pressurized sprinkler system, the discharge during the test is probably significantly higher than during sprinkler operation, thus the drawdown is also greater. No significant drawdown took place in the well throughout the test, indicating an extremely permeable aquifer. Based on available well logs, most if not all wells in the vicinity produce, at least in part, from the same water-bearing zone.

P Results of the test can be summarized as follows:

1) Drawdown in the Waller irrigation well stabilized very rapidly at a pumping level of 55.6 feet below land surface, with a constant discharge throughout the test of 779 gals./min.

Y 2) Water levels in the Davis & Irons domestic wells, 1060 ft. and 1057 ft. from the Waller well, respectively, showed no effects attributable to pumpage of the Waller well throughout the test.

3) Water levels in the Janousek domestic well, 516 feet from the Waller well showed a steady decline of 0.7 feet during the period of the test.

Conclusions to be drawn from the results of the test include:

1) Drawdowns in nearby unpumped domestic wells cannot exceed drawdowns in the pumped irrigation well, i.e. 20 feet; therefore, even if shallow domestic wells were affected by pumpage of the Waller well, an adequate supply of water is available at reasonable depth.

2) If the Davis and Irons wells are hydraulically connected to the producing aquifer tapped by the Waller well, pumpage effects would be slow in being seen and would be ~~minimized~~ *minimal* if they occurred.

3) Significant injury has not occurred to any of the observed domestic wells due to pumpage of the Waller well, and is not likely to occur even under continual pumpage of the Waller well throughout an estimated 140-day growing season.

PAUL M. CASTELIN
Hydrogeologist

PMC:cf

*Sent to Waller, Janousek, Davis, Irons
and Sen. Steen.*

C
O
P
Y

Description and location of place of use

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
55	8E	35															13.6	33.6	47.2 50.0
																	16.4		

Field examination and recommendation. 47.2 50.0
 Total number of acres irrigated 47.2 50.0

DATE OF EXAM 10-25-77

ACREAGE
Found 50
Recommended 50

Irrigation Requirement 4.5 Ac Ft/Ac

USE
Irrigation Q = 1.50 c.f.s V = 2.25 AF/Ann from Apr. 1 to Nov 1
Domestic Q = _____ c.f.s V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s V = _____ AF/Ann from _____ to _____

Is water co-mingled? yes _____ no ☒

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

Exchange* yes _____ no ☒

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

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

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

Total Q measured 1.74 c.f.s Method of measurement meter

Total Q recommended 1.50 c.f.s Meter No. 743618 Type 1" line Condition good

Total V recommended 2.25 AF/yr

Recommended Amendments:

P.D. _____
Place of Use ☒ See Range Dist License
Other _____
None _____

MEASUREMENT CALCULATION

$Q = 779 \text{ gpm} \div 448.8 \text{ gpm/c.f.s} = 1.74 \text{ c.f.s}$
 $V = 50 \text{ A} \times 4.5 \text{ AF/Acre} = 225 \text{ AF/yr}$

SYSTEM DESCRIPTION:

well pumped with Aurora pump powered by 4hp
GE motor discharge to ~~area~~ public and federal
irrigation.

REMARKS:

Flow measurement from pump test of August 7-10, 1977.

Examiner's Signature William H. Mac Allister Date 10-31-77

Checked by PHS Date 11-9-77

Approved by _____ Date _____



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C. Stephen Allred
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

June 23, 1977

Mr. John M. Reeves
Box 22
Hammett, Idaho 83627

Dear Mr. Reeves:

This letter is in response to your letter to the Department of Water Resources concerning Mr. Bert Waller and his irrigation well near Hammett.

You have stated in your letter that Mr. Waller is " ... using good drinking water to irrigate ..." and that his irrigation well should be closed. Section 42-226, Idaho Code, declares ground waters to be public waters and states that they may be appropriated for beneficial use, which of course, includes irrigation. To the best of our knowledge, Mr. Waller is, to date, in compliance with the applicable portions of the Idaho Code and the Rules and Regulations of this Department in the development and use of his well.

Since this well is creating concern among Hammett residents, the Department plans to conduct a pump test of the well as soon as such a test can be arranged, probably early in July. This test will seek to determine the effect Mr. Waller's well has on surrounding domestic wells. Mr. Paul Castelin of this Department will be in charge of the pump test and will undoubtedly contact the well owners in the immediate vicinity of Mr. Waller's well prior to conducting the test.

If the pump test shows Mr. Waller to be in violation of the Idaho Code, the director of the Department of Water Resources can issue an Order in the matter as prescribed in Section 42-237a, Idaho Code.

You, as an individual, could bring suit to determine the water rights of this area and to seek a court order to enjoin Mr. Waller from pumping his well. The success of the suit, of course, would depend upon your showing injury that is caused by Mr. Waller's well. If the injury is a result of water no longer

Page 2
Mr. John M. Reeves
June 23, 1977

being available to you, the remedy for the injury must be tempered to allow the full economic development of the available water resources of the area.

Another option open to you is to request a local ground water board as described in Section 42-237b, Idaho Code. A ground water board can accept evidence and take testimony to resolve conflicts between ground water users.

I urge you to cooperate with Mr. Castelin in the conduct of a pump test of Mr. Waller's well.

If I may be of further assistance to you, please feel free to contact me.

Yours truly,



DAVID B. SHAW
Supervisor, Water Allocations Section
DBS:jfr

366-2530

RECEIVED

JUN 16 1977

Dear Sirs;

Department of Water Resources

This letter is in regards to the abuse of your action to close the irrigation well of Bert Waller who is using good drinking water to irrigate instead of using King hill irrigation water which is accessible and has been refused by the same Bert Waller.

The Hammett residence have petitioned against this waste of our drinking water. It is of greatest importance this year than in the past because of the drought which I'm sure your aware of.

I dont know who this man thinks he is

MICROFILMED

his friends are in position to let this waste of good water continue when peoples wells are going dry over the entire Western states.

I do know that this is the only letter I will write to your office in regard to this matter.

If no action is taken or no response to this letter my next action will be to the Governor and Sec. of the Interior.

Thank You
John M Reeves
Box 22
Hammett Idaho

John M. Reeves
Box 22
Hammett, Idaho
83427

State of Idaho
Department of Utilities
State Land
Bureau
Boise, Idaho
83726

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

May 29, 1976

Virgil and Audrey Janousek
Box 57, Star Route
Hammett, Idaho 83627

Dear Mr. & Mrs. Janousek:

This is to confirm our telephone conversation on May 10, 1976. There are several alternatives open to you as an individual.

You could confront Mr. Waller and tell him that you and your neighbors are out of water and request him to supply you with water, or share in the cost to lower your pump or to cease pumping from his well. If he does not cooperate you could then bring suit against him for the damages.

You could also bring suit to determine the water rights in this area and to seek a court order to enjoin Mr. Waller from using his pump.

The success of the suit, of course, would depend upon your showing of injury due to the fact that the water is no longer available to you. You would also need to show that the cause of the water not being available is Mr. Waller's well. The determination of the availability of water must be tempered so that the full economic development of the water resources is made. It could be that your well is not deep enough, and that you should drill deeper.

Another alternative is that you request a local ground water board as set forth in Sec. 42-2376, Idaho Code. However, the information that you need and the expense to you would not differ greatly from that of going directly to the courts.

If I may be of further assistance to you, please contact me.

Sincerely,

Kenneth H. Foit

KENNETH H. FOIT, P.E.
Supervisor, Groundwater Section

KHF:jfr

RECEIVED
MAY 31 1976

ACTION REQUIRED

FROM: Felt

TO: Norm

Please contact these people
at the earliest date possible

Called 5/10/76

Talked with Mrs. Janssen

THANKS

MICROFILMED

M E M O

Date: April 28, 1976

To : Ken Foit

From: Ervin E. Ballou *EEB*

I was unable to find my letter to Mr. Jonouskey or copies of Lee's work. I contacted Lee on the 2-way and he had given all the information to Keith.

Apparently there is involvement with a local state representative and Keith has contacted him. I do not think this matter should now be handled at regional level.

500

M E M O

Date: April 28, 1976

To : Ken Foit

From: Ervin E. Ballou *EEB*

I was unable to find my letter to Mr. Jonouskey or copies of Lee's work. I contacted Lee on the 2-way and he had given all the information to Keith.

Apparently there is involvement with a local state representative and Keith has contacted him. I do not think this matter should now be handled at regional level.

APR 28 1976
Department of Water Resources

Mr. and Mrs. Virgil Janousek
Box 57; Star Route
Hammett, Idaho 83627

April 26, 1976

Mr. Irvin Ballou
Dept. of Water Resources
373 W. Franklin
Boise, Idaho

Dear Mr. Ballou:

Last summer we contacted your office concerning the lack of water pressure we were experiencing in our domestic water well. At that time a Bert Waller here in Hammett began pumping water from an irrigation well he had recently drilled. His pumping from this well immediately and drastically lowered not only our water pressure, but that of four of our neighbors.

Two men from your office were sent to investigate this problem last summer. Not only did we receive no satisfaction from them, but were casually told that we should consider drilling deeper and lowering our pump. As our well has been in service long before Mr. Waller drilled his irrigation well, we certainly have established prior water rights.

As of April 14 of this year we are once again experiencing tremendously reduced water pressure, and it appears that Mr. Waller began at this time to pump from his irrigation well.

This situation is currently insupportable and we expect your office to take immediate action.

We are looking forward to hearing from you.

Sincerely
Virgil Janousek
Audrey Janousek

Virgil Janousek
Audrey Janousek

Hammett, Idaho

July 6, 1975

Department of Water Resources
 Boise, Idaho 83707

Dear Sir.

I am writing concerning our well. We have had good pressure and plenty of water until about a month ago. In the next block east of us a well has been drilled and is being used for irrigation. The last of May is when we noticed our supply was low and it's been down ever since. When our toilet is flushed there is no water for a while in any of the pipes in the house until it refills.

Is there any thing that can be done. Please let us know what we can do about this situation.

We are in the house in the P.M. and evening. Our phone number is 366-2062.

Sincerely
Mr. & Mrs. Virgil J. Janssen
Star Kite # 57
Hammett Idaho 83627

June 29. 15
Wammett Idaho
83627

Mr. Keith Higginson
Director of Water Resources
Statehouse, Boise Idaho
83120

Dear Mr. Higginson

I wrote to your office about 3 weeks ago. I got an answer from Irvin Ballan and here are the answers to the questions he ask me

Our well is 96 ft, our neighbors is about 65 ft. The last 2 weeks the pressure & amount of water we get has been good, but now the hay is baled and I'm sure Walters will start irrigating and it will be down. We will watch this each week.

The line in Blk 47. and the irrigation well is in Blk 46 - My neighbor lady Judy Hible talked to Walters so they know that our wells are being affected by something. He didn't want to talk about it.

He does get his amount of water from the King Hill Irrigation Co for this same acreage. I think about 75

acres and his yard.

Mr Ballou also suggested we draw up a petition as to the effect of the well in the community. I have talked to several and they are in favor of signing it as later it may effect their wells. Just now I am writing this petition. Please ~~send~~^{ward} it for me. Hoping to hear from you ~~at some~~ at your convenient time. Thank you

Sincerely

Mrs. Virgil J. J. J.
Star Rte #57
Warrenton Idaho
83627

My phone - 366-2063

ACTION REQUIRED

AD

FROM: Glen Saxton

5-10-76

TO: Ken Dunn

- approx in middle of Aug 1975, Pete & I at request of Keith H. of State Office meas levels of well in this area & responded to State O. by memo.
- a week ago Western Region rec'd a letter from Janousek concerning this problem. The letter was referred to Ken Foit by Western Region.
- now we have a second letter that Western Region is referring to the State Office for response. JH

RECEIVED

MAY 7 1976

Department of Water Resources

Mr. and Mrs. Virgil Janousek
Box 57; Star Route
Hammett, Idaho 83627

May 5, 1976

Mr. Irvin Ballou
Dept. of Water Resources
373 W. Franklin
Boise, Idaho

Dear Mr. Ballou:

On April 26 a letter was sent to your office informing you of the lack of water pressure we are experiencing in our domestic water wells. As you were told in that letter, we believe this problem stems directly from the use of an irrigation well here in town by a Bert Waller. Our water rights for our domestic wells were established long before Mr. Waller began pumping out of his irrigation well.

We are currently experiencing totally inadequate water pressure. It has been well over a week since this problem was brought to your attention and we have heard nothing from you. We do not intend to spend the summer with this problem; we expect to hear from your office immediately.

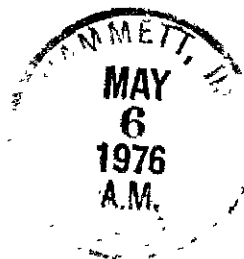
Sincerely,

Virgil Janousek
Audrey Janousek

Virgil Janousek
Audrey Janousek

RECEIVED

Janousek
Box 57; Star Route
Hammett, Idaho 83027



**RETURN RECEIPT
REQUESTED**

CERTIFIED

No. 837558

MAIL

Mr. Irvin Ballou
Dept. of Water Resources
373 W. Franklin
Boise, Idaho

November 23, 1976

Re: Permit No. 61-7098

Bert A. Waller
Box 65
Hammett, Idaho 83627

Dear Mr. Waller:

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

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

If you have any questions regarding the field examination, please contact our Regional Office in **Boise**.

Sincerely,

JANICE RENK
Water Rights Bureau

/jr

Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of Permit Holder Bert A. Waller
b) Post Office Address Box 65 Hammett, ID 83627
2. Permit Number 61-7098
3. Date of Priority that you are prepared to establish 10-14-71
4. a) Source from which water was appropriated Ground Water
b) Location of the point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 35
Township 5S, Range 8E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied.
Amount 1.50 for irrigation purposes from April 1 to Nov. 1 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 1.50 cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Meter read by permit holder
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use.

b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 16" dia. well 125 feet deep. with 40 hp pump into a sprinkler system or to open ditch
b) Describe the type and size of measuring device which you have installed at your point of diversion: 8" Muesco Water Meter
c) Give well driller's name and address and the date the well was completed: Glineski Drilling #129 Bruneau, ID 4-15-72
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

11/23/76

If you are irrigating more acres, please submit an aerial photo of the property with this affidavit.

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5S	8E	35														25	25		50

Total number of acres irrigated 50

10. Remarks: 1 1/2" per acre is needed for sandy soil.

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

Nov-16-1976
(Date)

Brent D. Walker
(Signature)

State of Idaho)
County of Ada) ss.

On this 16th day of November, 1976, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that ~~he (she) (they)~~ executed the same.

Glenn J. Woods
Notary Public residing at Boise, Idaho

My commission expires 6/15/77

October 29, 1976

CERTIFIED MAIL

138057

Re: Permit No. 61-7098

Bert A. Waller
Box 65
Hammett, Idaho 83627

Dear Mr. Waller:

One of the conditions of approval of your water Permit No. 61-7098 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before January 1, 1977. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

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

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

R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

WELL DRILLER'S REPORT

State law requires that this report be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

1. WELL OWNER

Name Bert Weller

Address Hamett Idaho

Owner's Permit No. 61-7098

2. NATURE OF WORK

☒ New well

☐ Deepened

☐ Replacement

☐ Abandoned (describe method of abandoning)

3. PROPOSED USE

☐ Domestic

☒ Irrigation

☐ Test

☐ Municipal

☐ Industrial

☐ Stock

4. METHOD DRILLED

☒ Cable

☐ Rotary

☐ Dug

☐ Other

5. WELL CONSTRUCTION

Diameter of hole 16 inches

Total depth 125 feet

Casing schedule: ☐ Steel ☐ Concrete

Thickness

Diameter

From

To

025 inches

16 inches

2 feet

77 feet

inches

inches

feet

feet

inches

inches

feet

feet

inches

inches

feet

feet

inches

inches

feet

feet

Was a packer or seal used? ☐ Yes ☐ No

Perforated? ☒ Yes ☐ No

How perforated? ☐ Factory ☒ Knife ☐ Torch

Size of perforation 3/8 inches by 2 inches

Number

From

To

150 perforations

60 feet

75 feet

perforations

feet

feet

perforations

feet

feet

Well screen installed? ☐ Yes ☒ No

Manufacturer's name

Type

Model No.

Diameter

Slot size

Set from

feet to

feet

Diameter

Slot size

Set from

feet to

feet

Gravel packed? ☐ Yes ☐ No

Size of gravel

Placed from

feet to

feet

Surface seal? ☒ Yes ☐ No

To what depth 21 feet

Material used in seal ☐ Cement grout ☒ Puddling clay

6. LOCATION OF WELL

Sketch map location must agree with written location.

N

W

E

S

61

7098

County Elmore

NW 1/4 SE 1/4 Sec. 35, T. 5S, R. 8E E/W

7. WATER LEVEL

Static water level 31 feet below land surface

Flowing? ☐ Yes ☒ No

G.P.M. flow

Temperature F. Quality

Artesian closed-in pressure p.s.i.

Controlled by ☐ Valve ☐ Cap ☐ Plug

8. WELL TEST DATA

☒ Pump

☒ Bailer

☐ Other

Discharge G.P.M.

Draw Down

Hours Pumped

72 inches

55'

4 hrs

9. LITHOLOGIC LOG

Hole Diam.	Depth		Material	Water	
	From	To		Yes	No
18"	0	21'	Top Soil (Sandy)		
16"	21	38	Lava Sand		
"	38	43	Soupy Sand		
"	43	54	Brown Clay		
"	54	60	Gravel (Coarse)	X	
"	60	64	Fine Gravel	X	
"	64	70	Coarser	X	
"	70	75	"	X	
"	75	77	Blue Shale		
"	75	100	"		
"	100	115	Sandy Shale	X	
"	115	125	"	X	
"	125	126	Blue clay		

10.

Work started 4/2/72

finished 4/15/72

11. DRILLER'S CERTIFICATION

This well was drilled under my supervision and this report is true to the best of my knowledge.

Glineski Drilling

129

Driller's or Firm's Name

Number

Bruneau Idaho 83604

Address

Irvin E. Glineski

8/30/72

Signed By

Date

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2

Boise, Idaho 83707

(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

January 24, 1972

Re: Permit No. 61-7098 - Bert A. Waller

Bert A. Waller
Box 65
Hammett, Idaho 83627

Dear Mr. Waller:

Enclosed is a copy of your approved Application for Permit No. 61-7098. We direct your attention to the conditions of approval as listed on the fourth page.

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

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:cr

Enclosures

61 7098

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No. 61-7098 Name Bert A. Waller

Source Groundwater

Point of Diversion NW⁴SE⁴, Sec. 35, T. 5S, R. 8E, B.M., Elmore County

Quantity 1.5 Use Irrigation Period April 1 - Nov. 1

Quantity Use Period

Quantity Use Period

Well Size Diameter 16 Proposed Depth 100 Feet

Use 50 acres

Date Forwarded 12-28-71 Date Returned 12-28-71 Received by D.S.

COMMENTS: D/W approx. ⁴²~~38~~ ft. Primary aquifer, according to log,
is black sand & gravel. Water levels show some increase
during past four years (W.B.'s 5, 11, 18, & 24). Well development
appears to be light; aquifer should support additional
development.

RECOMMENDED:

Applied: Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

Maximum: Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

ACTION: Approved ☒ Denied ☐

Conditions of approval or reason for denial:

INVESTIGATION By Paul M. Castelin Title W.R.I. - I

Date Dec 28, 1971

61 7098

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse — Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

November 10, 1971

Re: Application No. 61-7098 - Bert A. Waller
" " 61-7099 - Richard O. Lord
" " 61-7100 - Paul F. Brown, JR.

Mountain Home News
P.O. Drawer 0
Mountain Home, Idaho 83647

Gentlemen:

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

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

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

(signature of claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:cr

Enc: Legal Notices

bill submitted 12-1-71

61-7098

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Bert A. Waller, Box 85, Hammett, Idaho, has on October 14, 1971, submitted Application No. 61-7098 for a permit to appropriate 15 cubic feet per second of water from a ground water source by means of well, pump, and ditches within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 5S, R. 8E, B. M., Elmore County to be used from April 1 to Nov 1 for the irrigation of 50 acres within the W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 35, T. 5S, R. 8E, B. M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before December 6, 1971.

R. KEITH HIGGINSON
Director

Published in the Mountain Home News, Mountain Home, Idaho on Nov. 18 and Nov. 25, 1971.

61 7098

83-1-0
80-1-10
K

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Bert A. Waller, Box 65,
Hammett, Idaho
has on October 14, 1971 submitted Application No. 61-7098
for a permit to appropriate 1.5 cubic feet per second ~~xxxxxx feet per second~~
of water from a ground water source
by means of well, pump, and ditches
within the NW 1/4 Sec. 35, T. 5S, R. 8E, B.M., Elmore County

to be used from April 1 to Nov. 1
for the irrigation of 50 acres

within the W 1/2 Sec. 35, T. 5S, R. 8E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before December 6, 1971.

R. KEITH HIGGINSON

Director

Published in the Mountain Home News, Mountain Home, Idaho
on Nov. 18 and Nov. 25, 1971.

61 7098

October 27, 1971

Re: Application for Permit No. 61-7098

Mr. Bert A. Waller
Post Office Box #65
Hammett, Idaho 83627

Dear Mr. Waller:

In reference to your application for Permit No. 61-7098, it is not possible to continue processing the application until you have included an acceptable map of the lands to be irrigated. This map must be to some scale. Enclosed is a plat sheet that may be used to a 2" to the mile scale. Please indicate the Township, Range, Section and 40 acre subdivisions of the lands to be irrigated.

Please feel free to contact this Department if you have any questions.

Very truly yours,

James Booker
Appropriation Examiner

JB:cs

Enclosure

Office Conversation 3 Nov 71

JEB

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