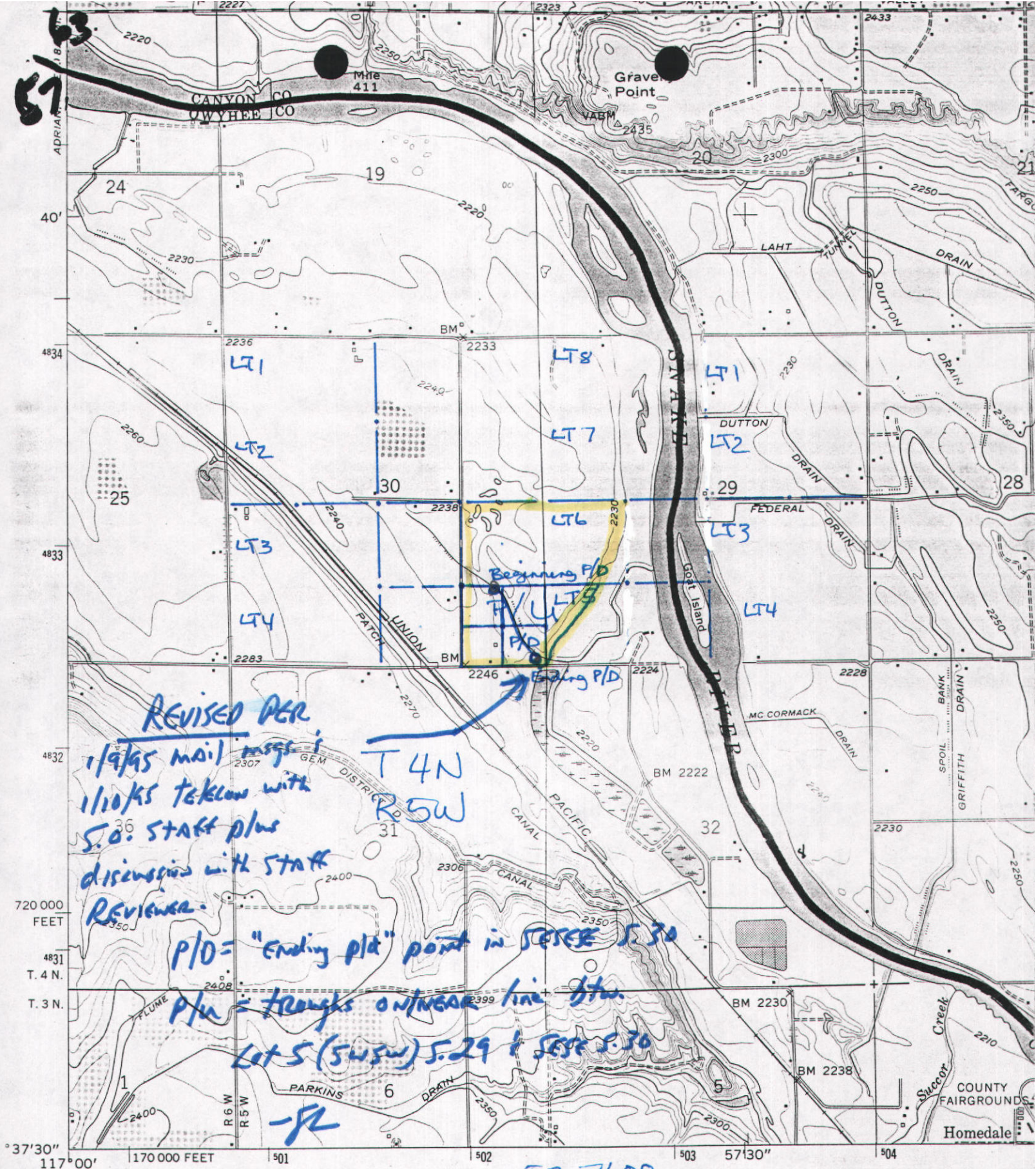




Mapped, edited, and published by the Geological Survey  
Control by USGS and USC&GS

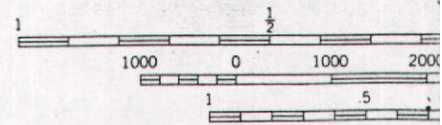
Topography from aerial photographs by Kelsh plotter  
and by planetable surveys 1957. Aerial photographs taken 1954

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

Revisions shown in purple compiled from aerial photographs

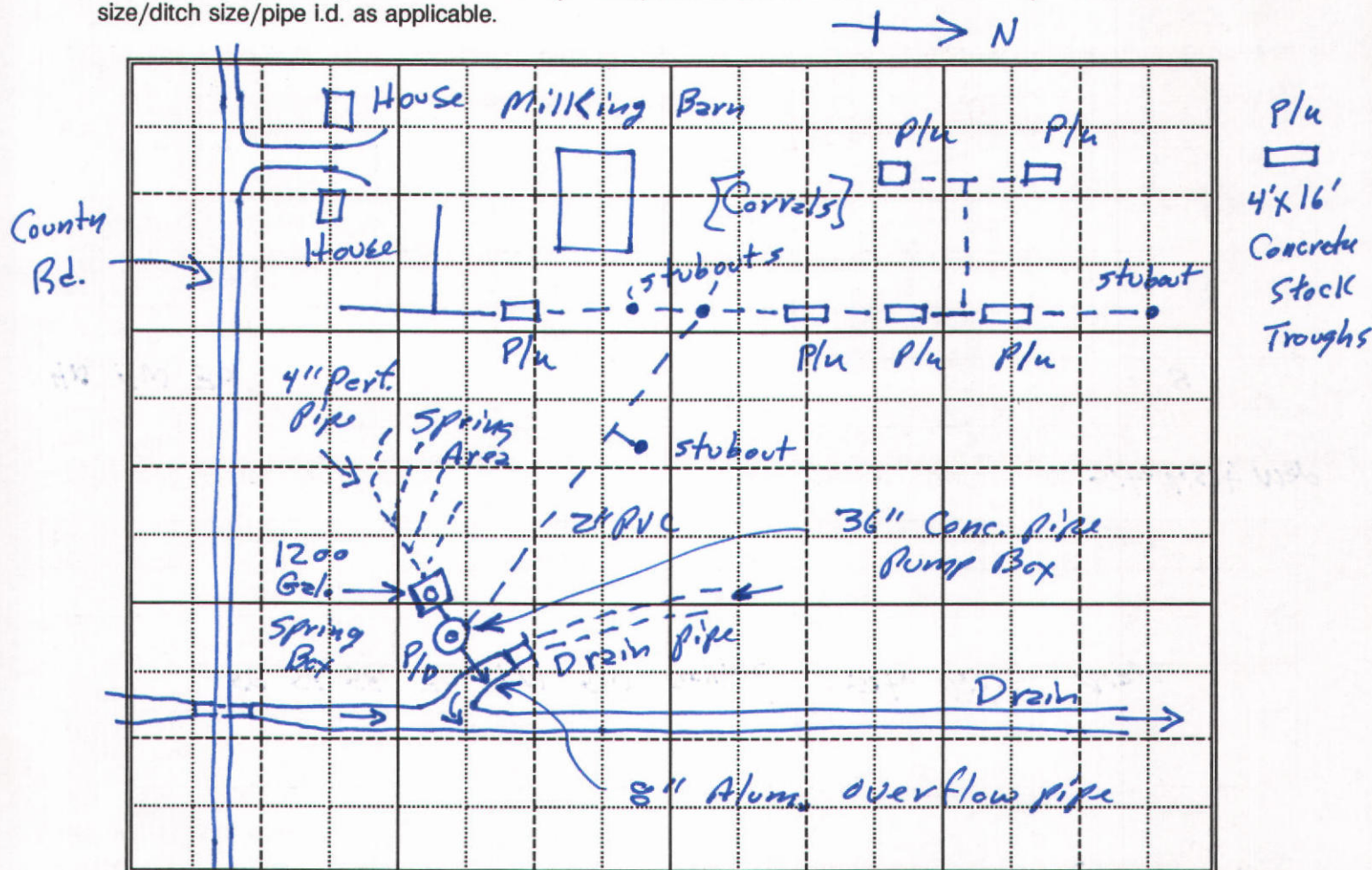
UTM GRID AND 1971 MAGNETIC NORTH



CONTO  
DOTTED LINES  
DATU



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



Scale: 1" = None

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

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

☒ Photo of Diversion and System Attached

4.

| Well or Diversion Identification No.* | Motor Make | Hp    | Motor Serial No. | Pump Make   | Pump Serial No. or Discharge Size |
|---------------------------------------|------------|-------|------------------|-------------|-----------------------------------|
|                                       | Franklin   | 1 1/2 |                  | Gruenfos    |                                   |
|                                       |            |       |                  | Submersible |                                   |
|                                       |            |       |                  |             |                                   |

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

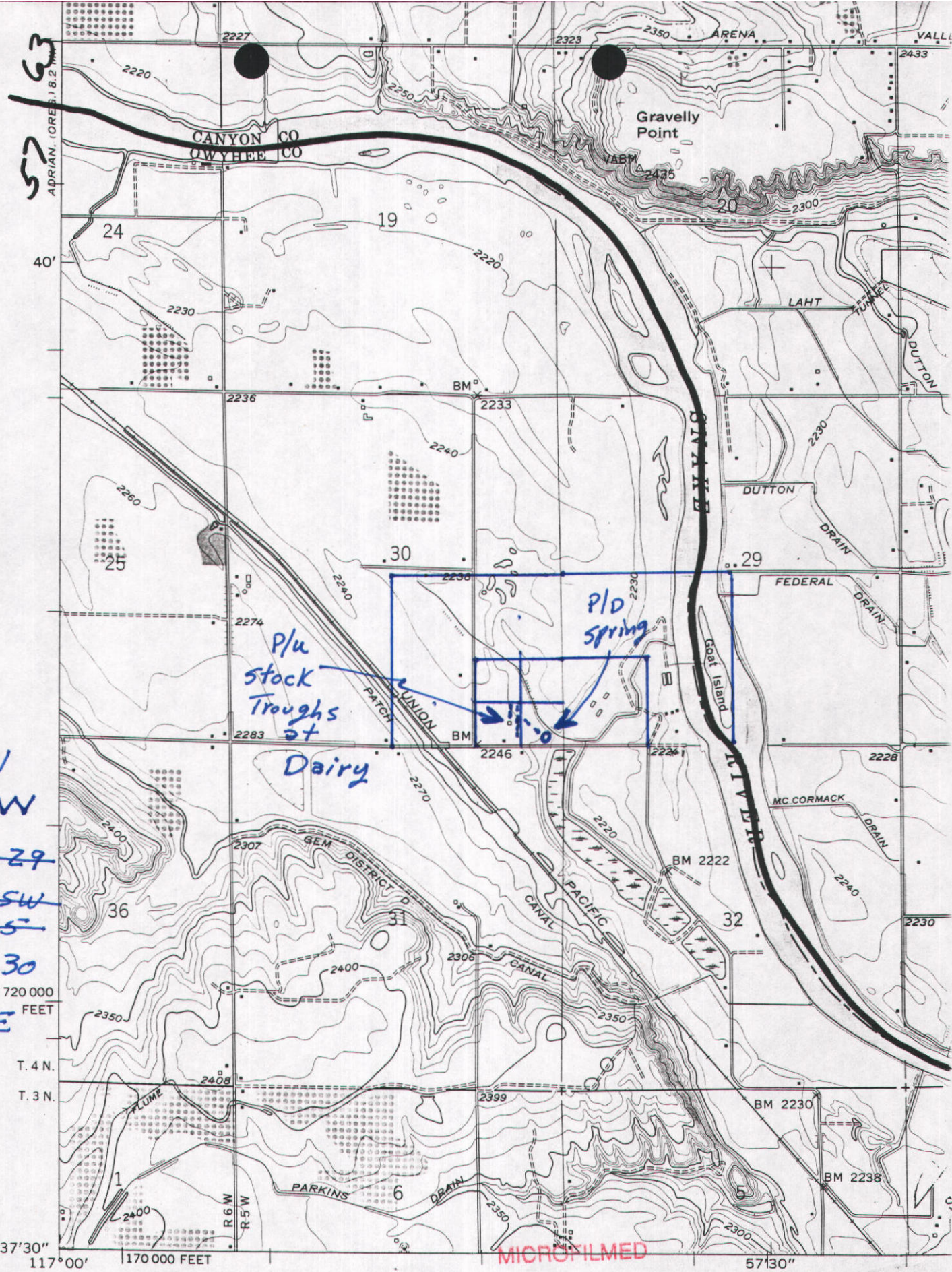
#### D. FLOW MEASUREMENTS

1.

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

2. Measurements: None

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T4N  
R5W  
Sec. 29  
SWSW  
lot 5  
Sec. 30  
SESE

(MITCHELL BUTTE)  
1:25,000

Mapped, edited, and published by the Geological Survey  
Control by USGS and USC&GS  
Topography from aerial photographs by Kelsh plotter  
and by planetable surveys 1957. Aerial photographs taken 1954  
Polyconic projection. 1927 North American datum  
10,000-foot grid based on Idaho coordinate system,  
west zone

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FEB 11 1999

57-07608  
1  
1000 0  
1



Lot 3

P10

Spring  
Area in  
right  
background.

36" Conc.  
pump  
box in  
right  
foreground.



View Looking SW.

P10

Lid for  
1200 Gal.  
Storage  
Tank.



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57-07608

2 of 3

P/D

Pump  
Box.

Note  
Press.  
gauge,  
switch,  
and 2" PUC  
Pipe  
main line.



P/u

Typical  
Concrete  
Trough

[and  
typical  
cow!]



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FEB 11 1999

57-07608



P/u

Two of  
the  
Concrete  
Troughs



P/u

Typical  
Stub-out  
for future  
trough-  
by post  
+ PVC  
pipes.

FEB 11 1998

57-07608

State of Idaho  
Department of Water Resources  
**Water Right License**

WATER RIGHT NO.      57-07608

Priority: January 20, 1995

Maximum Diversion Rate:

0.25 CFS

Maximum Diversion Volume:

14.6 AF

This is to certify, that JOYCE B TURNER  
JOHN L TURNER

PO BOX 55

GREENLEAF ID 83626-0055

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 4, 1995; and has submitted Proof of Beneficial Use on March 17, 1998. An examination indicates that the works have a diversion capacity of 0.250 cfs of water from:

**SPRING**

tributary to **SNAKE RIVER**

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> |
|-----------------------|----------------------|--------------------------|----------------------|
| STOCKWATER            | 01/01 to 12/31       | 0.25 CFS                 | 14.6 AF              |

LOCATION OF POINT(S) OF DIVERSION:

SESESE , Sec. 30, Township 04N, Range 05W  
OWYHEE County

PLACE OF USE: STOCKWATER

TWN RGE SEC

04N 05W 30

SESE

**CONDITIONS OF APPROVAL AND REMARKS**

1. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 30<sup>TH</sup> day of NOVEMBER, 1998.

  
Acting for KARL J. DREHER, Director

MICROFILMED

FEB 11 1999

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

|                                      |   |                      |
|--------------------------------------|---|----------------------|
| IN THE MATTER OF PERMIT NO. 57-07608 | ) | <b>ORDER OF</b>      |
|                                      | ) |                      |
| IN THE NAME OF JOHN L. TURNER        | ) | <b>REINSTATEMENT</b> |
| AND JOYCE B. TURNER                  | ) |                      |
| _____                                | ) |                      |

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted to the Department on or before March 1, 1998; and,

WHEREAS, the Department notified the permit holder on December 31, 1997, by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, the department issued a lapse notice on March 5, 1998, since an acceptable proof of beneficial use or extension of time request had not been received; and,

WHEREAS, Section 42-218a, Idaho Code, provides that the Department may reinstate a permit upon a showing of reasonable cause by the permit holder within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting an acceptable proof of beneficial use on March 17, 1998;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 57-07608 is **REINSTATED** with an advance in priority to **January 20, 1995**.

DATED this 16<sup>th</sup> day of June, 1998.

  
\_\_\_\_\_  
L. GLEN SAXTON, Chief  
Water Allocation Bureau

MICROFILMED  
JUN 26 1998

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**

MAR 17 1998

Department of Water Resources

**PROOF OF BENEFICIAL USE**

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

1. Permit No. 57-07608 Telephone No. 208 454-8776
2. Name(s) of Permit Holder(s): JOHN L TURNER / JOYCE B. TURNER
3. Mailing Address: PO Box 55 GREENLEAF, ID 83626
4. Source of Water: Spring If **GROUNDWATER** (well), Date Drilled: mo. \_\_\_\_ / yr. \_\_\_\_
  - a. Well Driller: \_\_\_\_\_ Drilling Permit Number: \_\_\_\_ - \_\_\_\_ - \_\_\_\_ - \_\_\_\_
  - b. **OPTIONAL:**  
Pump Horsepower: \_\_\_\_\_ Pressure (psi): \_\_\_\_\_ Dynamic pumping level (ft): \_\_\_\_\_
5. Use(s) (as authorized by the water right permit):  
Domestic (No. of households): \_\_\_\_\_ Stockwater (No. and type of stock): 400 <sup>dry</sup> hds stock cattle  
200 hds Dairy cattle  
Irrigation (No. of acres): \_\_\_\_\_ Other: \_\_\_\_\_
6. Total rate of diversion and/or volume for which proof is submitted: 0.25 cfs OR \_\_\_\_\_ acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)  
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

|                               |                                          |                       |
|-------------------------------|------------------------------------------|-----------------------|
| <b>Measuring Device:</b>      | Is a measuring device required?          | Yes _____ or No _____ |
|                               | Has the measuring device been installed? | Yes _____ or No _____ |
| <b>Flow Measurement Port:</b> | Is a flow measurement port required?     | Yes _____ or No _____ |
|                               | Has the measurement port been installed? | Yes _____ or No _____ |
8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.  
Name: JOHN L TURNER Telephone Number: 208 454-8776  
Address: PO Box 55 Greenleaf ID 83626

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

Signature of permit holder: Joyce B Turner Date: May 14 - 98  
(include your title, if on behalf of company or organization)

JUN 26 1998

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

NO. 57-07608

Proposed Priority: January 4, 1995      Maximum Diversion Rate: 0.25 CFS

This is to certify, that JOHN L TURNER  
JOYCE B TURNER  
PO BOX 55  
GREENLEAF ID 83626-0055  
has applied for a permit to appropriate water from:  
SPRING      tributary of SNAKE RIVER

and a permit is APPROVED for development of water as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> |
|-----------------------|----------------------|--------------------------|
|-----------------------|----------------------|--------------------------|

|            |                |          |
|------------|----------------|----------|
| STOCKWATER | 01/01 to 12/31 | 0.25 CFS |
|------------|----------------|----------|

LOCATION OF POINT(S) OF DIVERSION:      SESESE , Sec. 30, Township 04N, Range 05W  
OWYHEE County

PLACE OF USE: STOCKWATER

TWN RGE SEC

|         |    |             |
|---------|----|-------------|
| 04N 05W | 29 | Lot 5(SWSW) |
|         | 30 | SESE        |

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 1998.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. Stockwater use is for 500 range cattle and 200 dairy cattle.

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

10<sup>th</sup> day of March, 1995.

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MAR 28 1995

*R. Keith Higginson*  
for R. Keith Higginson, Director

RECEIVED  
MAR 07 1995

Ident. No. 57-07608

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

APPLICATION FOR PERMIT

--To appropriate the public waters of the State of Idaho

1. Name: JOHN L TURNER 208-454-8776  
Address: PO BOX 55  
GREENLEAF ID 836260055  
AND/OR  
Name: JOYCE B TURNER 208-454-8776  
Address: PO BOX 55  
GREENLEAF ID 836260055
2. Source: SPRING Trib. to: SNAKE RIVER
3. Location of Point of Diversion: SESESE Sec. 30, Township 04N, Range 05W  
OWYHEE County
4. Water will be used for the following purposes:

| Purpose    | From  | To    | CFS   | (or) | AF |
|------------|-------|-------|-------|------|----|
| STOCKWATER | 01/01 | 12/31 | 0.250 |      |    |
5. Total quantity to be appropriated is:  
0.250 CFS (and/or) AF
6. Proposed diverting works:
  - a. Description of ditches, flumes, pumps, headgates, etc.  
Spring with perforated pipe collection to troughs.
  - b. Height of storage dam feet; active reservoir capacity  
acre-feet; total reservoir capacity acre-feet; period of  
year when water will be diverted to storage: to inclusive.
  - c. Proposed well diameter is inches; proposed depth of well is  
feet.
  - d. Is groundwater with a temperature greater than 85F being sought? NO
  - e. If well is already drilled, when?  
Drilling Firm  
Well was drilled for
7. Time required for the completion of the works and application of  
the water to the proposed beneficial use is 3 year(s).

RECEIVED

MAR 28 1995

REVISED Appl. -SEE  
1/19/95 mail mgs. i 1/10/95  
Reply from S.O. staff  
-PL

8. Place of Use: STOCKWATER

TWN RGE SEC  
04N 05W 29 Lot 5(SWSW)  
30 SESE

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:  
Stockwater use is for 500 range cattle and 200 dairy cattle.

11. Map of proposed point of diversion and place of use attached? [✓]

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.

See original  
Applicant

Received by C3 Date 1/4/95 Time 11:00 Preliminary check by LG

Fee \$ 100.00 Receipted by C3 #C031926 Date 1/4/1995

Publication prepared by AT Date 1-11-95 Published in Owyhee Avalanche

Publication approved AT Date 2-6-95

APPROVED

MAR 28 1995

Comments: Date: 1/ 4/1995 User-ID: CZIMMERM

Subject:

DIVERSION DESCRIPTION

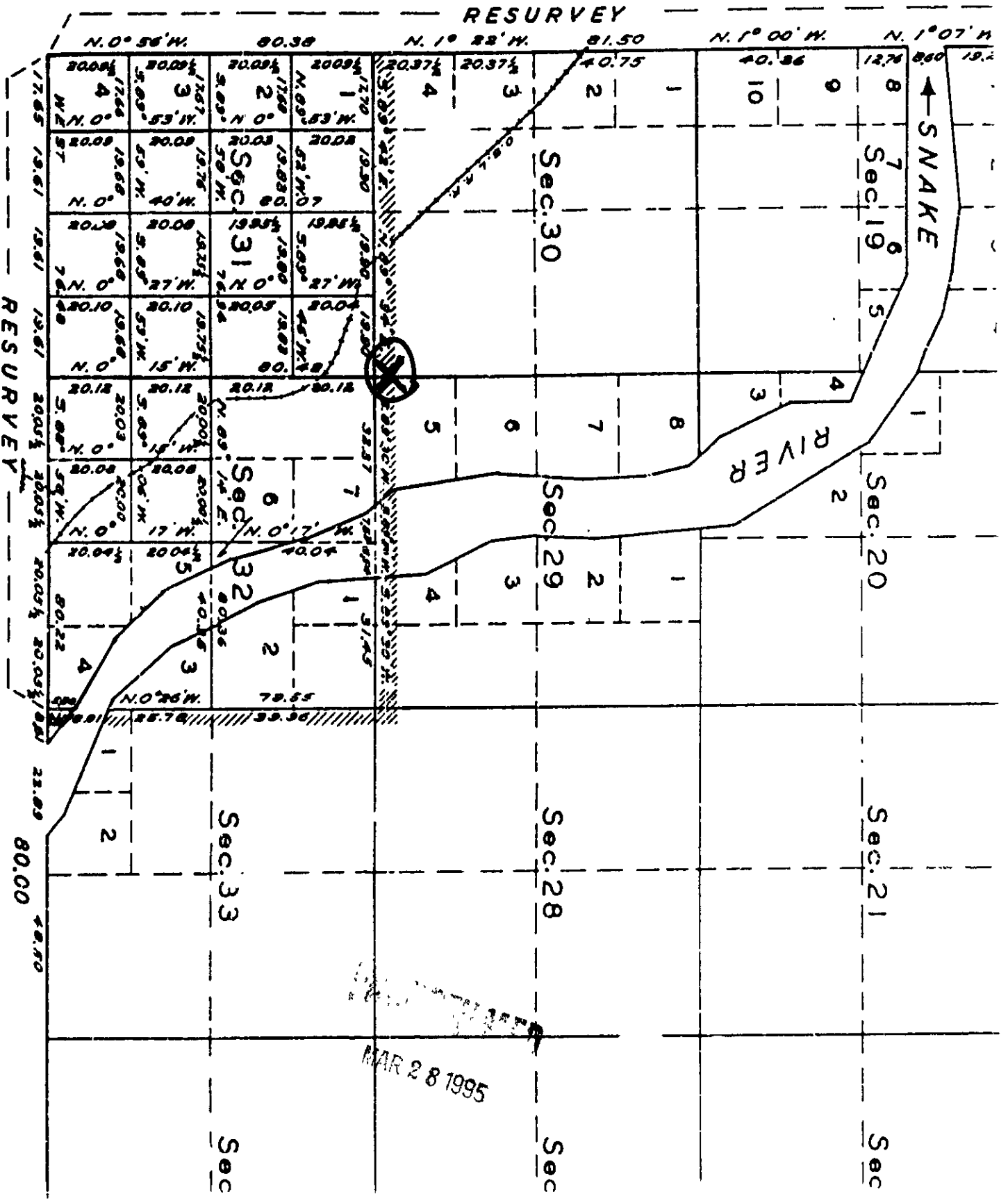
A perforated collection pipe was buried in NWSESE passes through the NESESE and end in the SESESE, S30, T04N, R05W. At the end of the pipe, the water will be pumped to the stock troughs.

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MAR 28 1995



105 0 10 20 40 80



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

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JAN 05 1995

WATER RESOURCES  
WESTERN REGION

1. Name: JOHN L TURNER 208-454-8776  
Address: PO BOX 55  
GREENLEAF ID 836260055  
AND/OR  
Name: JOYCE B TURNER 208-454-8776  
Address: PO BOX 55  
GREENLEAF ID 836260055

2. Source: SPRING Trib. to: SNAKE RIVER  
3. Location of Point of Diversion: NESESE Sec. 30, Township 04N, Range 05W  
~~Beginning of Stream Flow Reach~~ NWSESE Sec. 30, Township 04N, Range 05W  
~~End of Stream Flow Reach~~ SESESE Sec. 30, Township 04N, Range 05W  
OWYHEE County

4. Water will be used for the following purposes:

| Purpose    | From  | To    | CFS   | (or) | AF |
|------------|-------|-------|-------|------|----|
| STOCKWATER | 01/01 | 12/31 | 0.250 |      |    |

5. Total quantity to be appropriated is:  
0.250 CFS (and/or) AF

6. Proposed diverting works:
- Description of ditches, flumes, pumps, headgates, etc.  
Spring with perforated pipe collection to troughs.
  - Height of storage dam feet; active reservoir capacity  
acre-feet; total reservoir capacity acre-feet; period of  
year when water will be diverted to storage: to inclusive.
  - Proposed well diameter is inches; proposed depth of well is  
feet.
  - Is groundwater with a temperature greater than 85F being sought? NO
  - If well is already drilled, when?  
Drilling Firm  
Well was drilled for

7. Time required for the completion of the works and application of  
the water to the proposed beneficial use is 3 year(s).

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JAN 28 1995

ORIGINAL Appl.

8. Place of Use: STOCKWATER

TWN RGE SEC

04N 05W 29 Lot 5(SWSW)  
30 SESE

*assume stock tank located in  
this Qtr Q+R. 6*

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:

Single point of diversion beginning within the NWSESE, S30, T04N,  
R05W; passing through NESESE, S30, T04N, R05W; ending within  
SESESE, S30, T04N, R05W.

Stockwater is for 500 range cattle and 200 dairy cattle.

11. Map of proposed point of diversion and place of use attached? ☒

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.

*John L. Turner*  
Applicant

Received by CZ Date 1/4/95 Time 11 AM Preliminary check by 6

Fee \$ 100.00 Receipted by CZ #C031926 Date 1/4/1995

Publication prepared by \_\_\_\_\_ Date \_\_\_\_\_ Published in \_\_\_\_\_

Publication approved \_\_\_\_\_ Date \_\_\_\_\_

MAR 28 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

December 1, 1998

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

JOYCE B TURNER  
JOHN L TURNER  
PO BOX 55  
GREENLEAF ID 83626-0055

RE: WATER RIGHT NO. 57-07608

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

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FEB 11 1999

### ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

### CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

### FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

### APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

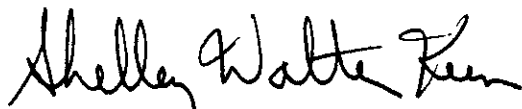
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FEB 11 1999

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

If you have any questions, please call me at 208-327-7946.

Sincerely,

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

Shelley W. Keen  
Water Rights Supervisor

SK:klt

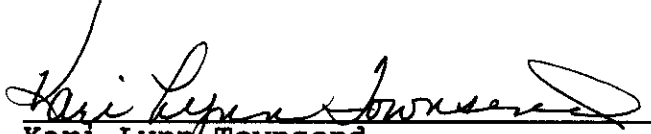
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 1st day of December, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 57-07608

JOYCE B TURNER  
JOHN L TURNER  
PO BOX 55  
GREENLEAF ID 83626-0055

  
Kari Lynn Townsend  
Secretary

MICROFILMED  
FEB 11 1999

## B/U FIELD EXAM REVIEW

by *Cindy Lou*Permit # 51-7608 Name: Turner Date: 11/30/98 ✓ Lots ✓

NAME Chng Same ✓ Or Address Change?

SOURCE ✓ Clarify source \_\_\_\_\_  
✓ Prelim. Order to Void - Source change

P/D ✓ Amendment Needed? Addn'l 1/4"? \_\_\_\_\_ Legal \_\_\_\_\_ P39  
 Same 1/4"? W32 \_\_\_\_\_ P36  
 Overlap(s) none

P/U ✓ Amendment Needed? delete S29 \_\_\_\_\_ P41  
 Overlap(s) none  
 (Gov't use special #'s) \_\_\_\_\_ \*P/D & P/U Amend? P37

RATE ✓ Permit/proof fee limits 0.25 / 1.0  
✓ Measured Quantity = None cfs Theoretical Quantity = 0.25 cfs  
✓  $(200 \text{ dairy} = 0.13 \text{ cfs}) + (500 \text{ dry} = 0.12 \text{ cfs}) = 0.25 \text{ cfs}$   
 (HP)  $\frac{8.8 \times 0.70 \times 1.5}{30} + (2.31 \times 30) = 0.13 \text{ cfs}$  } after storage  
✓ Recommended capacity 0.25 cfs  
✓ Recommended rate 0.25 cfs

VOLUME ✓ Season: ( 1 ) 1/1 - 12/31 = 365 days  
 Calculations:  $\frac{(200 \text{ hd} \times 35 \text{ gal} \times 365 \text{ d}) + (500 \text{ hd} \times 12 \text{ gal} \times 365 \text{ d})}{325,850}$   
 $= \frac{(2,555,000 + 2,190,000)}{325,850}$   
 $= 4,745,000 / 325,850 = 14.6$   
 Flow limit: 0.25 cfs x 365 days/yr. x 1.9835 = 180.7 AF  
✓ Recommended volume 14.6 AF

USES ✓ Same Nature of Use? \_\_\_\_\_ P46  
✓ Amendment Needed? \_\_\_\_\_

REMARKS Multiple p/d's in same 1/4? Use W32

CONDITIONS ✓ Measuring Device (R43) or Lockable Controlling Works (R02)  
✓ Watermaster Control (R04) - WD # \_\_\_\_\_  
✓ Irrigation rate/annual volume overlap  
✓ GW irrigation replaces surface water (050)  
✓ GW irrigation supplements surface water (065)  
✓ Water Quality  
✓ Other OIM

PRIORITY App Rcd 1/4/95 Due 3/1/98 Rcd 3/1/98  
 Receipt# 2042133 Fee OK? Yes/No \$100  
 Order to Reinstate Needed? Yes/No Done? 6/16/98 Advanced to: 1/20/95  
 Priority 1/20/95 Examined \_\_\_\_\_

COMMENTS: \_\_\_\_\_

| USE               | CFS         | VOLUME      |
|-------------------|-------------|-------------|
| <u>Stockwater</u> | <u>0.25</u> | <u>14.6</u> |
| <u> </u>          | <u> </u>    | <u> </u>    |
| <u> </u>          | <u> </u>    | <u> </u>    |
| <u> </u>          | <u> </u>    | <u> </u>    |
| <u>TOTAL</u>      | <u>0.25</u> | <u>14.6</u> |

SRBA Overlap None  
 Adjustment Memo ✓  
 LICENSE  
 #1 AMEND: \_\_\_\_\_/P38  
 #2 AMEND: (R)P42/(C)P47

## MEMORANDUM

DATE: November 30, 1998  
TO: File No. 57-07608  
FROM: Cindy Lou Zimmerman  
SUBJECT: Review of Beneficial Use Field Report

The following adjustments<sup>1</sup> were made on the field report to reflect department standards on rounding volume to nearest 1/10<sup>th</sup> and licensing practices for the use developed under this permit:

G. Volume Calculations.

a. Irrigation

$$\begin{aligned} V &= (\text{head} \times \text{gpd} \times \text{days}) / 325,850 \\ &= \{[(200 \times 35) + (500 \times 12)] \times 365\} / 325,850 \\ &= [(7,000 + 6,000) \times 365] / 325,850 \\ &= (13,000 \times 365) / 325,850 \\ &= 4,745,000 / 325,850 \\ &= \mathbf{14.6 \text{ AF.}} \end{aligned}$$

$$V_{DR} = \text{rate} \times \text{days} \times 1.9835 = 0.25 \times 365 \times 1.9835 = 180.7 \text{ AF}$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = \mathbf{14.6 \text{ AF.}}$$

H. Recommendations

1. Recommended amounts:

| Beneficial Use | Period of Use | Rate of diversion | Annual Volume  |
|----------------|---------------|-------------------|----------------|
| Stockwater     | 1/1-12/31     | 0.25 cfs          | <u>14.6 AF</u> |
|                | Totals:       | 0.25 cfs          | <u>14.6 AF</u> |

Examiner: Dan Tomich  
Examined: August 5, 1998

<sup>1</sup> Adjustments are **bolded and underlined**

MICROFILMED  
FEB 11 1999

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

RECEIVED  
NOV 16 1998

Department of Water Resources

**A. GENERAL INFORMATION**

Permit No. 57-07608

1. Owner: John L. & Joyce B. Turner Phone No. (208) 454-8776

Current Address: P.O. Box 55, Greenleaf, ID 83626-0055

2. Accompanied by: John Turner EXAM DATE: 8-5-98

Address: (Same) Phone No. \_\_\_\_\_

Relationship to Permit Holder: (Same)

3. Source: Spring tributary to Snake River

**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: None for stockwater, There is 2 domestic well and irrigation water for the same property

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

**C. DIVERSION AND DELIVERY SYSTEM**

**1. Point(s) of Diversion:**

| Ident No. | Gov't Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Method of Determination/Remarks |
|-----------|-----------|-----|-----|-----|------|------|------|--------|---------------------------------|
|           |           | SE  | SE  | SE  | 30   | 4N   | SW   | Owyhee | Site Visit, Map                 |
|           |           |     |     |     |      |      |      |        |                                 |
|           |           |     |     |     |      |      |      |        |                                 |
|           |           |     |     |     |      |      |      |        |                                 |

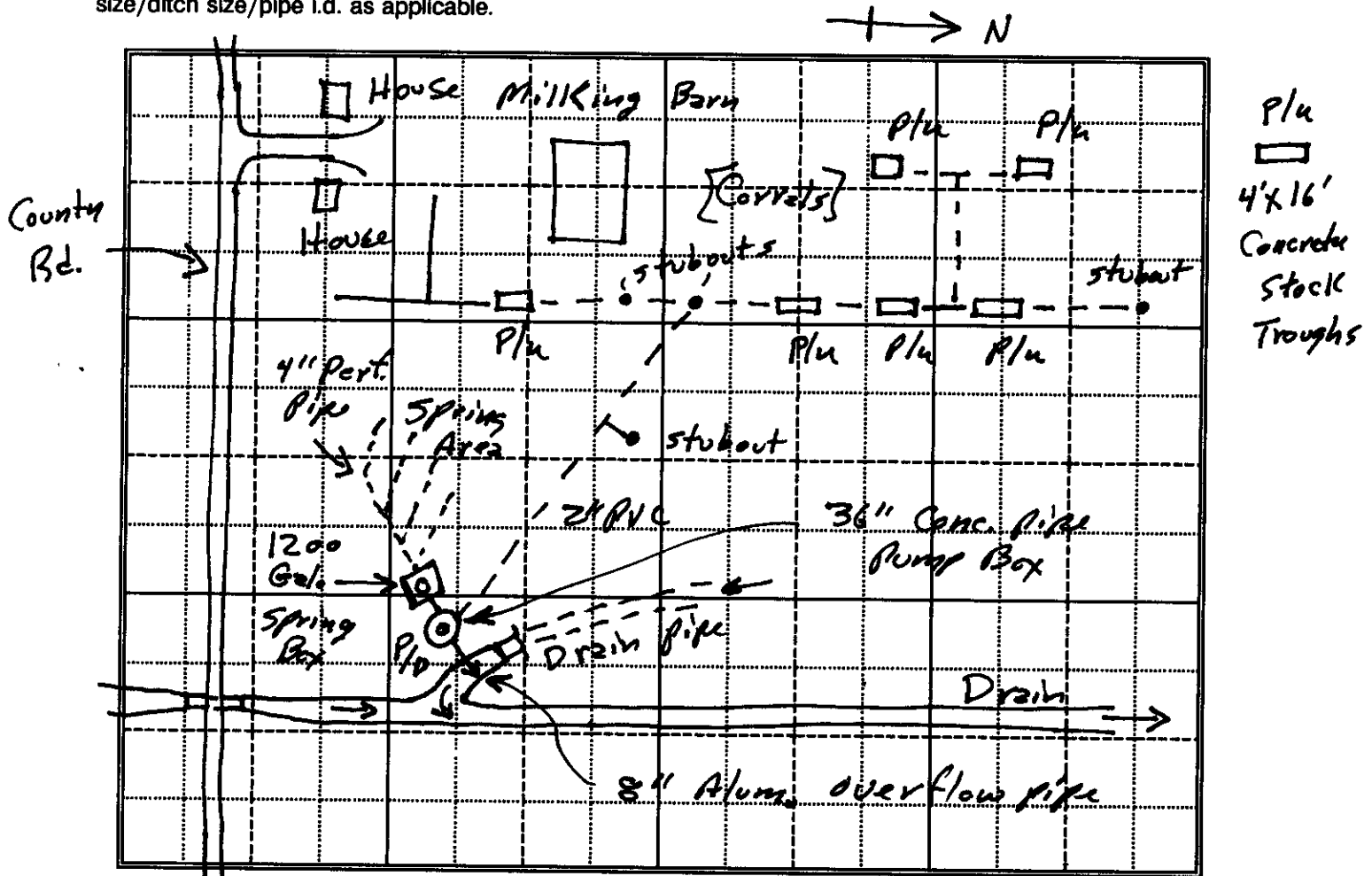
**2. Place(s) of Use:**

Indicate Method of Determination Site Visit, Map

| TWP | RGE | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 4N  | 5W  | 30  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | S  |        |
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3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.D. as applicable.



Scale: 1" = None

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

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

☒ Photo of Diversion and System Attached

4.

| Well or Diversion Identification No.* | Motor Make | Hp    | Motor Serial No. | Pump Make   | Pump Serial No. or Discharge Size |
|---------------------------------------|------------|-------|------------------|-------------|-----------------------------------|
|                                       | Franklin   | 1 1/2 |                  | Grumfos     |                                   |
|                                       |            |       |                  | Submersible |                                   |
|                                       |            |       |                  |             |                                   |

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

#### D. FLOW MEASUREMENTS

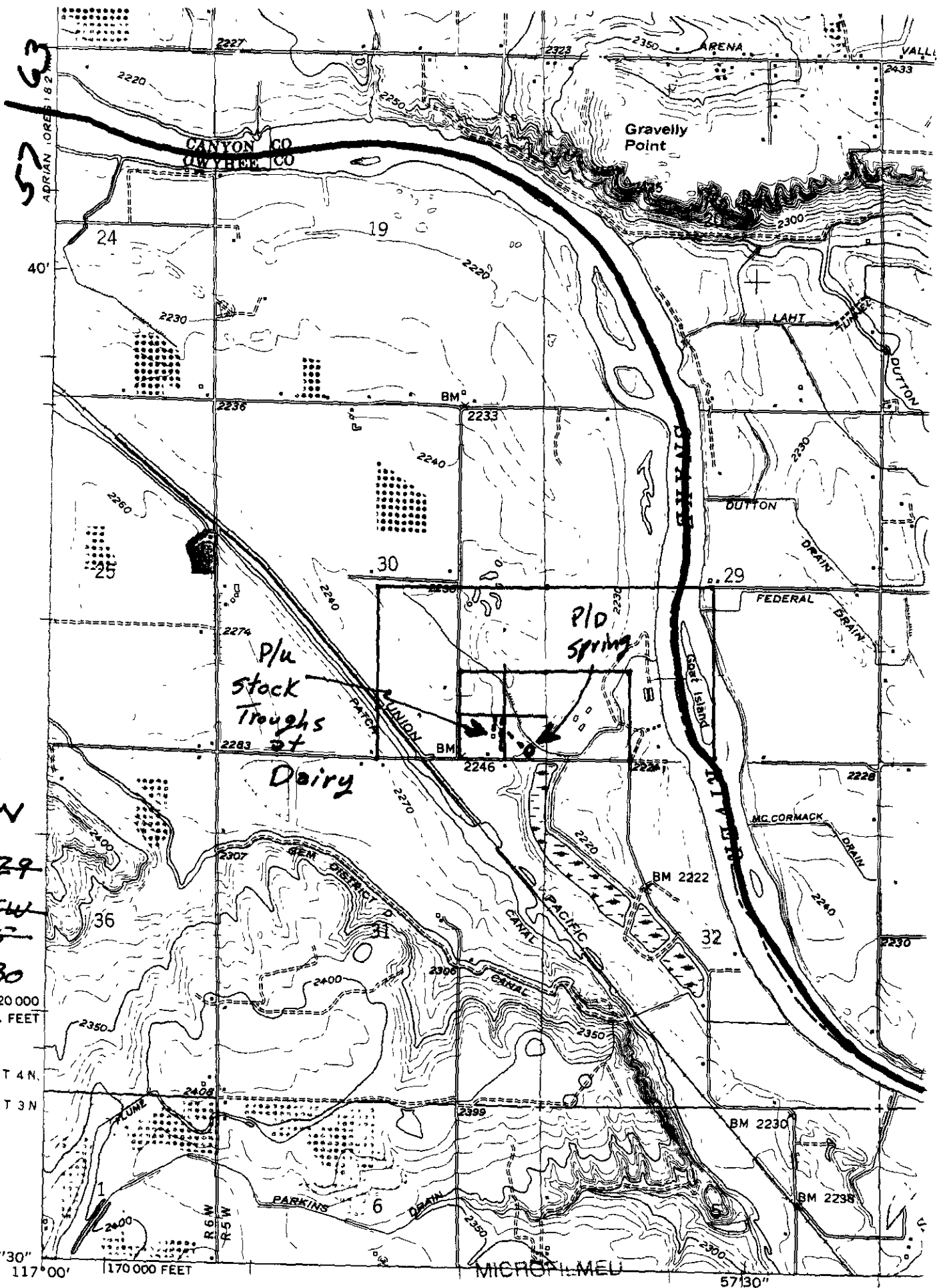
1.

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

2. Measurements: None

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T4N  
R5W

Sec. 29

SWSW  
605

Sec. 30

720 000

FEET

SESE

T4N

T3N

43°37'30"  
117°00'

170 000 FEET

MICROFILMED

57°30"

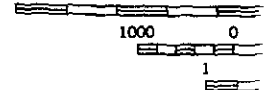
Mapped, edited, and published by the Geological Survey  
Control by USGS and USC&GS

FEB 1 1991

57-07608

Topography from aerial photographs by Kelsh plotter  
and by planetable surveys 1957 Aerial photographs taken 1954

Polyconic projection 1927 North American datum  
10,000-foot grid based on Idaho coordinate system,  
west zone



(MITCHELL BUTTE)  
1 125 000

Lot 3

P/D

Spring  
Area in  
right  
background.

36" Conc.  
pump  
box in  
right  
foreground.



View Looking SW.

P/D

Lid for  
1200 Gal.  
Storage  
Tank.

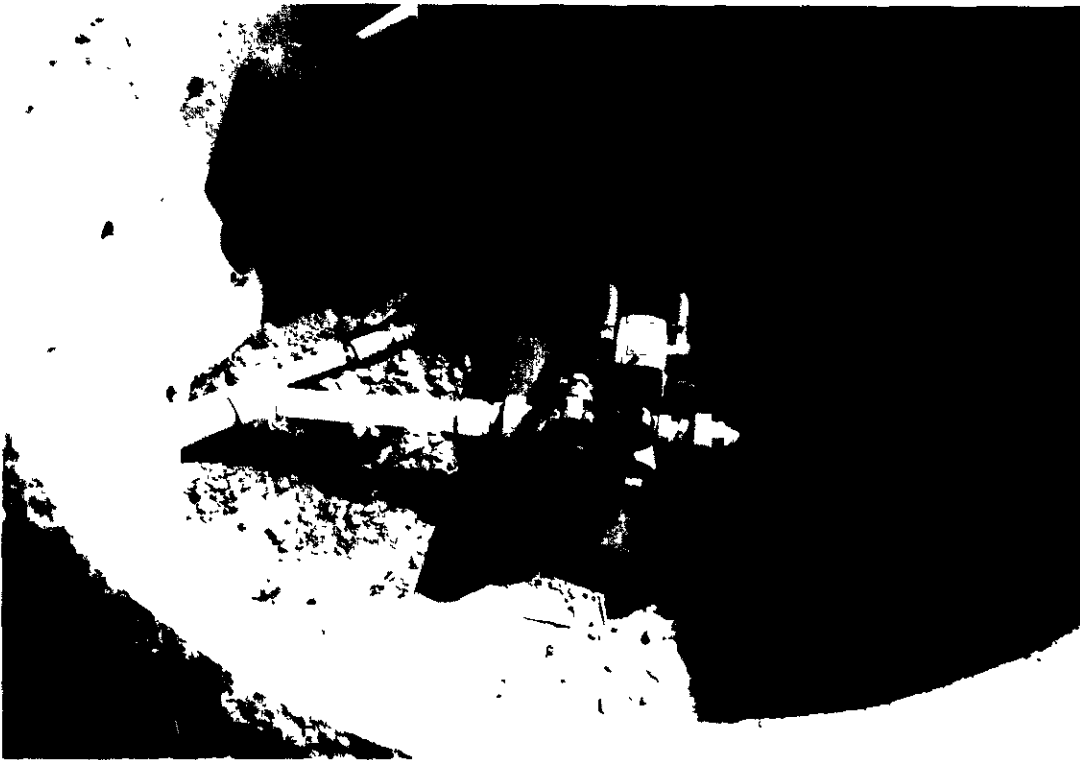


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FEB 11 1999

57-07608

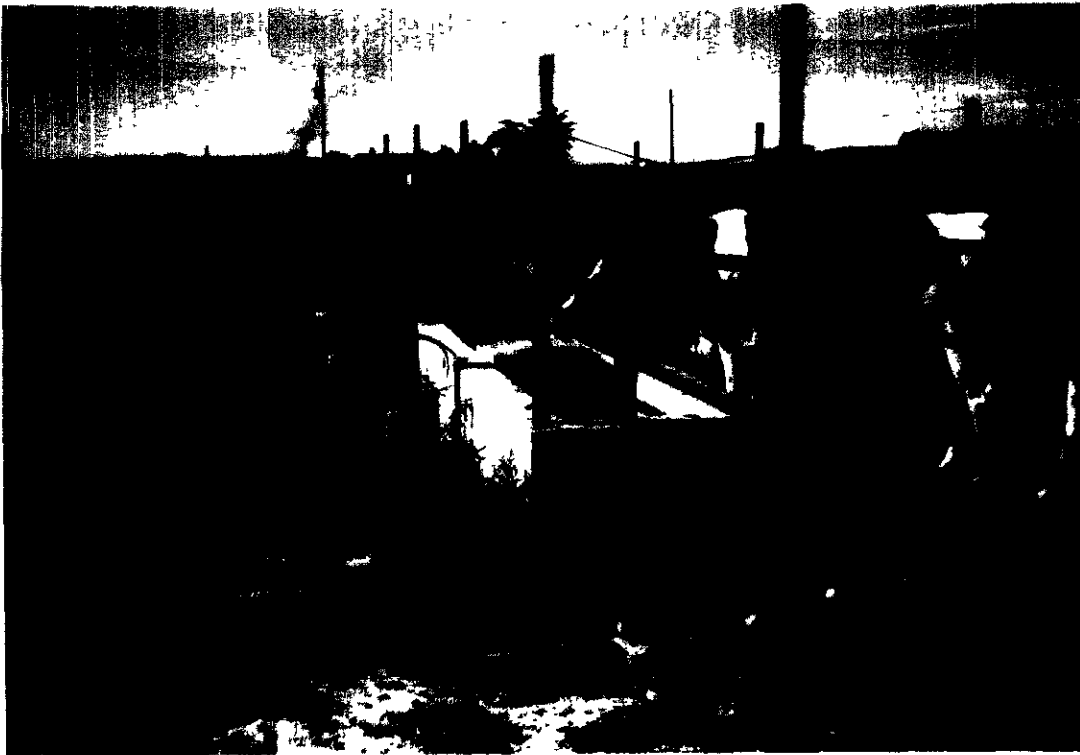
2 of 3



P/D

Pump  
Box.

Note  
Press.  
gauge,  
switch,  
and 2"  
PVC  
Pipe  
main line.



P/u

Typical  
Concrete  
trough

[and  
typical  
cow!]

57-07608

2 of 3



P/u

Two of  
the  
Concrete  
Troughs



P/u

Typical  
Stub-out  
for future  
trough-  
by post  
+ PVC  
pipes.

MICROFILM

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57-07608

E. NARRATIVE/REMARKS/COMMENTS

1. This permit is for a stockwater system used to provide water for 200 dairy cattle and 500 "range" cattle - The "range" cattle are actually dry cows kept at the dairy.

2. A spring area was developed with 4" pvc pipe, gravel pack, and Visqueen, and piped into a 1200 Gal. fiberglass buried storage tank. From the storage tank, water is piped to a 36" concrete pipe pump box. A 1 1/2 hp submersible pump pumps the water through a 2" pvc line to the stock watering troughs located in the dairy corral and sheds. The pump box has a pressure gage, pressure switch, and a gate valve. An 8" aluminum pipe carries excess flow into a nearby drain. The stock troughs are 4'x16' concrete and have float valves to control the flow. The operating pressure is about 30 psi.

3. The cows use the water for 12 months/year.

4. At the time of the exam, there were 6 troughs installed, and stub-outs for 4 more troughs.

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

MOPO-1AL

FEB 11 1999





State of Idaho

**DEPARTMENT OF WATER RESOURCES**

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

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

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

June 16, 1998

JOHN AND JOYCE TURNER  
PO BOX 55  
GREENLEAF ID 83626

**PROOF ACKNOWLEDGMENT LETTER**

**RE:** Permit No. 57-07608

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit.

Enclosed is an order reinstating the permit since proof was submitted after the proof due date. Note that the priority date has been advanced to March 1, 1998, as provided in Section 42-218a.2, Idaho Code.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water. If you have questions concerning the field examination, you may contact the **WESTERN** Regional Office of the department in Boise at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

MICROFILMED

JUN 26 1998

# WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

March 5, 1998

JOHN L TURNER  
JOYCE B TURNER  
PO BOX 55  
GREENLEAF ID 836260055

LAPSE NOTICE

RE: PERMIT NO. 57-07608

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated December 31, 1997. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

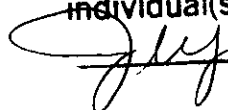
L. GLEN SAXTON  
Chief, Water Allocation Bureau

Enclosures

MICROFILMED  
JUN 26 1998

CERTIFICATION OF MAILING

I hereby certify that on 3-5-98  
~~a copy~~ an original of this document was  
deposited in the United States mail,  
postage prepaid addressed to the  
individual(s) named above.



December 31, 1997

JOHN L TURNER  
JOYCE B TURNER  
PO BOX 55  
GREENLEAF ID 836260055

PROOF DUE NOTICE

RE: PERMIT NO. 57-07608

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 March 1, 1998. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

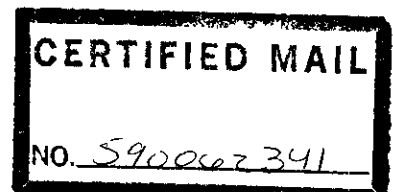
SINCERELY,

JULIE L. YARBROUGH  
Senior Secretary

Enclosures

MICROFILMED

JUN 26 1998





**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098  
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

March 14, 1995

JOHN L TURNER  
JOYCE B TURNER  
PO BOX 55  
GREENLEAF ID 83626-0055

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 57-07608

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Sincerely,

Shelley W. Keen  
Water Rights Supervisor

SK:rl

Enclosures

RECEIVED

MAR 28 1995

# The Owyhee Avalanche

P.O. BOX 97 • HOMEDALE, ID 83628 • 208/337-4681

## AFFIDAVIT OF PUBLICATION

STATE OF IDAHO )  
 ) ss  
COUNTY OF OWYHEE )

I, Joe E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of **The Owyhee Avalanche**, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said **The Owyhee Avalanche** has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in

said newspaper, in Two (2)

(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

January 18 & 25, 1995

Signed

*Joe E. Aman*

Subscribed and sworn to me this 25th day of

*Corine B. Boud*

Notary Public

Com:

MAR 28 1995

### NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

55-07459  
US DEPT OF INTERIOR  
BUREAU OF LAND  
MANAGEMENT  
1003 DEVELOPMENT AVE  
BOISE, ID 83705  
Source: GROUNDWATER  
Diversion Pt: NWNWNW Sec  
35 T 09S R 02W in OWYHEE  
County.  
Use: DOMESTIC (.040 CFS)  
STOCKWATER (.060 CFS)

WILDLIFE (.040 CFS)  
Total Diversion: (.140 CFS)  
Date Filed: 11/15/1994  
In: OWYHEE County  
T09S R02W S34 NENE  
S35 NWNW

57-07606  
TRAMMEL, REX  
RT 1  
PO BOX 1096A  
HOMEDALE, ID 83628  
Source: GROUNDWATER  
Diversion Pt: NENW Sec 15 T  
03N R 05W in OWYHEE  
County.

Use: DOMESTIC (.040 CFS)  
STOCKWATER (.020 CFS)  
Total Diversion: (.060 CFS)  
Date Filed: 12/28/1994  
In: OWYHEE County  
T03N R05W S15 NENW

57-07607  
HIGHTOWER, CHARLES S  
HIGHTOWER, VICKI L  
LINDNER, ALAN  
LINDNER, DEBRA  
HC 79 BOX 34X  
MELBA, ID 83641  
Source: GROUNDWATER  
Diversion Pt: SESW Sec 10 T  
02S R 02W in OWYHEE  
County.

Use: IRRIGATION (.100 CFS)  
DOMESTIC (.040 CFS)  
Total Diversion: (.140 CFS)  
Date Filed: 12/27/1994  
In: OWYHEE County  
T02S R02W S09 SESE  
5.0 ACRES TOTAL

57-07608  
TURNER, JOHN L  
TURNER, JOYCE B  
PO BOX 55  
GREENLEAF, ID 836260055  
Source: SPRING Tributary:  
SNAKE RIVER  
Diversion Pt: SESESE Sec 30  
T 04N R 05W in OWYHEE  
County.  
Use: STOCKWATER (.250  
CFS)

Total Diversion: (.250 CFS)  
Date Filed: 1/4/1995  
In: OWYHEE County  
T04N R05W S29 Lot 5  
(SWSW)  
S30 SESE

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 on or before FEBRUARY 6, 1995. The protestant must also send a copy of the protest to the applicant

R. KEITH HIGGINSON,  
Director

Publish January 18, 1995

From: DWR80::SLESTER 9-JAN-1995 16:46:37.52  
To: DWR03::JJOHNSON  
CC: SLESTER  
Subj: RE: New Application No. 57-07608

# 2 of 2

Hi Jim. Am faxing as reply a copy of appl. with map. Looks like Cindy Z. worked on this & can see intent about a "sort of reach" for a perforated pipe collecting water & delivering to tank at end of pipe (tank on QQ line it would appear).

From what I can see, perhaps should retain QQ's where pipe located as springs location but eliminate remark about single P/D. Info in Comments clarifies the system. The source is then springs (plural) since reach stretches over considerable distance of perforated pipe.

Will modify database as above if you & Cindy agree that this would be more accurate. Am giving application to Sue by early Wed. morning this week for advertising so would be great if you could reply by then.

10-4 "till later.....Steve

Reply 1/14/95 from Jim & Cindy.

- Spring
- p/o SESSES 5.30
- Comments clarify
- O'base updated
- ok to proceed with advertising

-JR

RECEIVED

MAR 28 1995

From: DWR03::JJOHNSON 9-JAN-1995 14:29:51.61  
To: DWR80::SLESTER  
CC:  
Subj: New Application No. 57-07608

4<sup>th</sup> / 92

Hi Steve. I have a question on the source of 57-07608. The remarks state "Single point of diversion" but lists three 10 acre tracts. If this is a stream reach then the source should be an "Unnamed Stream" rather than a spring.

Since I am only ready the printout I may be missing some facts contained in the file. Will you please check? Thanks.

See attached  
-JR

57-07608

TURNER, JOHN L  
TURNER, JOYCE B  
PO BOX 55  
GREENLEAF, ID 836260055

Source: SPRING

Tributary: SNAKE RIVER

Diversion Pt: SESESE Sec 30 T 04N R 05W in OWYHEE County.

Use: STOCKWATER ( .250 CFS)  
Total Diversion: ( .250 CFS)

Date Filed: 1/ 4/1995

In: OWYHEE County  
T04N R05W S29 Lot 5(SWSW)  
S30 SESE